

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

AUGUST 28, 2019

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, August 28, 2019. The meeting was called to order at 7:05 p.m. by Council Vice President Patil followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Joshi, Lombardi, Patil, and Sendelsky.

Councilmember Gomez was absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney London, Business Administrator Ruane, Engineer O’Krepky, Health Inspector Spearnock, Acting Director Fircha, Police Captain Askelson, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Lombardi, seconded by Councilmember Sendelsky and duly carried, the Minutes of the Worksession of April 8, and July 22, 2019, and Regular Meeting of April 10, June 26 and July 24, 2019 accepted as submitted.

COUNCIL PRESIDENT’S REMARKS:

Council Vice President Patil announced the following. Our next Council Meeting is combined on Monday, September 9th at 6:00pm, Tuesday, September 10th there is a Special Election, September 11th is our 911 Memorial Service at Lake Papappani at 6:30pm, September 28th is our Fall Family Spectacular on Amboy Avenue from Jackson Avenue to Waltuma starting at 11:090am. On Saturday, August 31st at Yelenciscs park from 11:00am – 3:00pm Military & Veterans Family Day.

2019 SOLID WASTE BUDGET:

Council Vice President Patil opened the meeting to the public for comments.

None

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Lombardi and duly carried.

NEW BUSINESS:

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, MONDAY, SEPTEMBER 9, 2019.

O.2048-2019 ORDINANCE AUTHORIZING A MONTH TO MONTH LEASE FOR STORAGE OF TOWNSHIP VEHICLES AND EQUIPMENT.

On a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 9, 2019.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council Vice President Patil

ABSENT – Councilmember Gomez

NAYS - None

**O.2049-2019 ORDINANCE AMENDING VARIOUS SECTIONS OF THE
TOWNSHIP CODE TO ESTABLISH A DEPARTMENT OF
WATER AND SEWER FOR THE TOWNSHIP.**

On a motion made by Councilmember Joshi seconded by Councilmember Lombardi this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 9, 2019.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council Vice President Patil

ABSENT – Councilmember Gomez

NAYS - None

**O.2050-2019 ORDINANCE AMENDING CHAPTER II OF THE CODE OF
THE TOWNSHIP OF EDISON, SETTING FORTH
PROCEDURES REGARDING THE ESTABLISHMENT AND
ADMINISTRATION OF A SET-ASIDE PROGRAM FOR
QUALIFIED MINORITY, WOMEN AND VETERAN
BUSINESSES PURSUANT TO THE LOCAL PUBLIC
CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ., IN
CONNECTION WITH TOWNSHIP PURCHASING AND
PROCUREMENT.**

On a motion made by Councilmember Joshi seconded by Councilmember Diehl this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 9, 2019.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council Vice President Patil

ABSENT – Councilmember Gomez

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council Vice President Patil opened the meeting to the public for comments on Proposed Resolutions R.386-082019 through R.445-082019.

Walter Stochel, 2118 Oak Tree Road, regarding Resolution R.396-082019 is that the property with the pond? Resolution R.409-082019 asked if we have a start date. Resolution R.428-082019 he is in support of help to fund Dudash Park.

Ms. Ruane, we don't have a date yet.

Councilmember Diehl, thanked Mr. Stochel and the Open Space Committee for the information they sent us regarding Mundy.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Diehl seconded by Councilmember Lombardi and duly carried, the public hearing was closed.

The following Resolutions R.386-082019 through R.445-082019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.386-082019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING AUGUST 22, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through August 22, 2019.

FUND	AMOUNT
Current	\$38,981,100.80
Affordable Housing	15,016.00
Capital	132,600.90
Cash Performance	204,012.08
CDBG	123.44
Developers Escrow	90,155.00
Dog (Animal Control)	14,928.32
Federal Forfeited	641.28
Grant Funds	8,714.50
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	622,658.48
Sanitation Fund	1,136,990.17
Self Insurance	0.00
Sewer Utility	823,889.76
Tax Sale Redemption	214,716.56
Tree Fund	0.00
Tree Planting	0.00
Trust	207,001.92
Edison Landfill Closure Trust	0.00
 TOTAL	 \$42,452,549.21

/s/ Nicholas C. Fargo
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.387-082019

Authorizing refund for redemption of tax sale certificates

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the Tax Collector further reports that the said tax sale certificates have been redeemed thereof, and further advises that the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$263,872.25**.

RESOLUTION R.388-082019

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

WHEREAS, applications have been made to the Tax Collector for refunds of the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$87,468.30**.

RESOLUTION R.389-082019

TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by April 30, 2019 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2019 Calendar Year Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	0.00
BUSINESS ADMINSTRATOR Other Expenses	7,178.75
PURCHASING Salary	8,126.07
PURCHASING Other Expenses	32,682.75
PURCHASING CENTRAL STORE Other Expenses	5,195.33
COMMUNICATIONS/EDISON TV Salary	0.00
COMMUNICATIONS/EDISON TV Other Expenses	4,616.67
PERSONNEL/HR Salary	0.00
PERSONNEL/HR Other Expenses	7,054.17
MAYOR Salary	0.00
MAYOR Other Expenses	200.00
COUNCIL Salary	0.00
COUNCIL Other Expenses	615.00
MUNICIPAL CLERK Salary	0.00
MUNICIPAL CLERK Other Expenses	110,675.00
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	600.00
FINANCE DEPARTMENT Other Expenses	0.00
DISBURSEMENTS Salary	0.00
DISBURSEMENTS Other Expenses	342.00

PAYROLL Salary	0.00
PAYROLL Other Expenses	0.00
AUDIT SERVICES	6,007.13
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	0.00
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	0.00
TAX ASSESSMENT Other Expenses	6,958.64
LEGAL DEPARTMENT Salary	0.00
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	0.00
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	1,933.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,183.33
PLANNING & ZONING DEPT Salary	8,534.19
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	58,650.32
CONST ENF AGENCY Other Expenses	27,775.00
RENT CONTROL BOARD Salary	0.00
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	1,934,281.08
EMPLOYEE SALARY AND WAGES(WAIVERS)	54,803.50
UNEMPLOYMENT INSURANCE EXPENSE	16,666.67
INSURANCE & SURETY Expense	0.00
LOSAP-Other Expenses	8,333.33
POLICE DEPARTMENT Salary	1,024,760.31
POLICE DEPARTMENT Other Expenses	58,476.66
DISPATCH 911 Salary	66,011.18
DISPATCH 911 Other Expenses	0.00
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	9,166.67
AID TO VOL FIRST AID	8,750.00
FIRE FIGHTING Salary	1,155,810.77
FIRE FIGHTING Other Expenses	58,368.75
FIRE PREVENTION Salary	3,146.77
FIRE PREVENTION Other Expenses	0.00

FIRE HYDRANT CHARGES	128,953.33
STREETS & ROADS Salary	34,676.70
STREETS & ROADS Other Expenses	0.00
SOLID WASTE RECYCLING Salary	30,760.85
SOLID WASTE RECYCLING Other Expenses	4,562.50
BUILDINGS & GROUNDS Salary	0.00
BUILDINGS & GROUNDS Other Expenses	0.00
MUNICIPAL GARAGE Salary	0.00
MUNICIPAL GARAGE Other Expenses	4,995.66
POLICE VEHICLES Salary	0.00
POLICE VEHICLES Other Expenses	9,618.75
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	45,662.68
HEALTH Other Expenses	11,825.00
SENIOR CITIZEN Salary	15,387.14
SENIOR CITIZEN Other Expenses	3,312.50
RECREATION Salary	27,467.99
RECREATION Other Expenses	47,879.50
PARKS & TREES Salary	20,898.80
PARKS & TREES Other Expenses	0.00
FREE PUBLIC LIBRARY Salary	50,138.13
FREE PUBLIC LIBRARY Other Expenses	120,968.72
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	78,822.42
STREET LIGHTING EXPENSE	21,666.67
PUBLIC BUILDINGS TELEPHONE	0.00
FUEL & LUBRICANTS Other Expenses	0.00
CONTINGENT Expense	4,166.67
PERS Expense	0.00
O.A.S.I. (SOCIAL SECURITY) Expense	85,503.69
Defined Contribution Retirement Program Expense	6,000.00
MUNICIPAL COURT Salary	25,227.55
MUNICIPAL COURT Other Expenses	4,422.50
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
TOTAL CURRENT FUND	<u><u>5,591,200.37</u></u>

<u>SEWER UTILITY FUND</u>	<u>AMOUNT</u>
SEWER Salary	20,491.44
SEWER Other Expenses	112,420.00
SEWER Sewerage Disposal Charges	421,234.55
SEWER Capital Improvement Projects	0.00
SEWER Public Emp Retirement Sys (PERS)	0.00
SEWER Social Security (OASI)	0.00
Sewer Unemployment Insurance	0.00
TOTAL SEWER UTILITY FUND	554,145.99

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Salary	67,149.00
SANITATION Other Expenses	223,062.36
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	0.00
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	0.00
SANITATION Disposal Fees	133,333.33
SANITATION Unemployment Insurance	0.00
SANITATION-Capital Outlay	0.00
TOTAL SANITATION FUND	423,544.69

RESOLUTION R.390-082019

Authorizing the refund of sewer charge overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various property discharging disposable water into Township of Edison sewer lines, we have received overpayment for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that value billed to their sewer accounts for the indicated year and period; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided in attached listing; and

WHEREAS, the Municipal Council of the Township of Edison desires to authorize the refund of these sewer charge overpayments.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing in satisfaction of sewer charge overpayments totaling **\$12,480.68**, and that this Resolution shall take effect immediately.

RESOLUTION R.391-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by P & A Fennell Foods, Inc. for Tax Years 2015 and 2016 and by Saddle Brook Five LLC c/o Hala for Tax Years 2017 and 2018.

WHEREAS, P & A Fennell Foods, Inc. filed tax appeals for the Tax Years 2015 and 2016, and Saddle Brook Five LLC, c/o Hala filed tax appeals for the Tax Years 2017 and 2018. (“Taxpayers”), the owners of property located at 750 United States Route 1, Block 265.BB , Lot 43.Q1 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 010688-2015, 009064-2016, 00994-2017 and 009996- 2018.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$236,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$627,900.00	\$627,900.00

WHEREAS, the proposed settlement provides for an assessment of the 2015 and 2016 Tax Year as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$186,200.00</u>	<u>\$161,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$577,900.00	\$552,900.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and “Waters, McPherson, McNeill, P.C. attorneys for Saddle Brook Five LLC c/o Hala and forwarded to Joseph G. Ragno, Esq., Waters, McPherson, McNeill., 300 Lighting Way, Post Office Box 1560, Secaucus New Jersey 07096 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$2,688.00 for 2017 and \$4,119.75 for 2018.**

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2015, 2016, 2017 and 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$186,200.00</u>	<u>\$161,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$577,900.00	\$552,900.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2015, 2016, 2017, 2018 under Docket Numbers 010688-2015, 009064-2016, 00994-2017 and 009996-2018 by the Taxpayer, owner of the property located at 750 United States Route 1, Block 265.BB, Lot 43.Q1.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment.

RESOLUTION R.392-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by GLDS Enterprises, LLC for the Tax Years 2015, 2016, 2017, 2018 and 2019

WHEREAS, GLDS Enterprises, LLC (“Taxpayer”), the owner of property located 2068 Lincoln Highway, Route 27, Block 1122 , Lot 24.C on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015, 2016, 2017, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 005049-2015, 001659-2016, 005311-2017, 005313-2018 and 000418-2019.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00
Improvements:	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>
Total:	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00

WHEREAS, the proposed settlement provides for an assessment of the 2015 through 2019 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$524,000.00	\$524,000.00	\$424,000.00	\$424,000.00	\$424,000.00
Improvements:	<u>\$343,000.00</u>	<u>\$242,000.00</u>	<u>\$290,000.00</u>	<u>\$224,000.00</u>	<u>\$152,000.00</u>
Total:	\$867,000.00	\$766,000.00	\$714,000.00	\$648,500.00	\$576,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Taxpayer and Trust Account of Harry Haushalter, Esquire and forwarded to Harry Haushalter, Esq., Lexington Square Commons, 2119 Highway 33, Suite A, Hamilton Square, New Jersey 08690 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$10,782.25 for 2015, \$16,540.26 for 2016, \$19,649.28 for 2017, \$23,697.98 for 2018 and \$27,652.22 for 2019.**

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2015, 2016, 2017, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$524,000.00	\$524,000.00	\$424,000.00	\$424,000.00	
	\$424,000.00				
Improvements:	<u>\$343,000.00</u>	<u>\$242,000.00</u>	<u>\$290,000.00</u>	<u>\$224,000.00</u>	
	<u>\$152,000.00</u>				
Total:	\$867,000.00	\$766,000.00	\$714,000.00	\$648,500.00	
	\$576,000.00				

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2015, 2016, 2017, 2018 and 2019 under Docket Numbers 005049-2015, 001659-2016, 005311-2017, 005213-2018 and 000418-2019 by the Taxpayer, owner of the property located at 2068 Lincoln Highway, Route 27, Block 1122, Lot 24.C.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment.

RESOLUTION R.393-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Alok and Monica Sood for Tax Years 2016, 2018 and 2019.

WHEREAS, Alok and Monica Sood (“Taxpayers”), the owners of property located at 2 Quincy Road, Block 1000, Lot 9 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a tax appeal for the Tax Years 2016, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 010517-2016, 011153-2018 and 010288-2019.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayers agree to settle their appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$408,800.00</u>	<u>\$408,800.00</u>
Total:	\$528,100.00	\$528,100.00	\$528,100.00

WHEREAS, the proposed settlement provides for an assessment of the 2016, 2018 and 2019 Tax Years as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$356,010.00</u>	<u>\$291,800.00</u>
Total:	\$528,100.00	\$475,310.00	\$411,100.00

WHEREAS, the Taxpayers acknowledge that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayers will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Michael D. Mirne, Esq. Attorneys for Alok and Monica Sood and forwarded to Michael D. Mirne, Esq., 3200 Sunset Avenue, Ocean, New Jersey 07712, within sixty (60) days of the date of the entry of the judgments; and

WHEREAS, the Township Council will make this settlement with the Taxpayers without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of **\$2,783.62 for 2018 and \$6,286.41 for 2019.**

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2016, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$356,010.00</u>	<u>\$291,800.00</u>
Total:	\$528,100.00	\$475,310.00	\$411,100.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the years 2016, 2018 and 2019 under Docket Numbers 010517-2016, 011153-2018 and 010288-2019 by the Taxpayers, owners of the property located at 2 Quincy Road, Block 1000, Lot 9.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent

RESOLUTION R.394-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Manohar and Nenita Wadke for Tax Years 2017, 2018 and 2019.

WHEREAS, Manohar and Nenita Wadke (“Taxpayers”), the owners of property located at 16 Out of Bounds, Block 415, Lot 58 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax years 2017, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 010336-2017, 010596-2018 and 009905-2019; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00

Improvements:	<u>\$475,400.00</u>	<u>\$475,400.00</u>	<u>\$475,400.00</u>
Total:	\$627,000.00	\$627,000.00	\$627,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2017, 2018 and 2019 Tax Year as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00
Improvements:	<u>\$448,400.00</u>	<u>\$423,400.00</u>	<u>\$348,400.00</u>
Total:	\$600,000.00	\$575,000.00	\$500,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Eric Salant, Esq., attorneys for Manohar and Nenita Wadke” and forwarded to Eric Salant, Esq., 998 Holmdel Road, Holmdel, New Jersey 07733 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of \$1,451.52 for 2017, \$2,741.44 for 2018 and \$6,823.71 for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2017, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00
Improvements:	<u>\$448,400.00</u>	<u>\$423,400.00</u>	<u>\$348,400.00</u>
Total:	\$600,000.00	\$575,000.00	\$500,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and

3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the years 2017, 2018 and 2019 under Docket Numbers 010336-2017, 010596-2018 and 009905-2019, Tax appeal by the Taxpayers, owner of the property located at 16 Out of Bounds, Block 415, Lot 58.

4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent

RESOLUTION R.395-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Umesh and Varsha Gopal for Tax Year 2019.

WHEREAS, Umesh and Varsha Gopal (“Taxpayers”), the owners of property located at 38 Clive Hills Road, Block 597.A, Lot 21 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax year 2019 with the Tax Court of New Jersey under Docket Number 010468-2019; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$229,800.00</u>
Total:	\$396,700.00

WHEREAS, the proposed settlement provides for an assessment of the 2019 Tax Year as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$123,800.00</u>
Total:	\$290,700.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Eric Salant, Esq., attorneys for Umesh and Varsha Gopal” and forwarded to Eric Salant, Esq., 998 Holmdel Road, Holmdel, New Jersey 07733 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of **\$5,695.38** for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2019 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$123,800.00</u>
Total:	\$290,700.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and

3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2019 under Docket Number 010468-2019, by the Taxpayers, owners of the property located at 38 Clive Hills Road, Block 597.A, Lot 21.

4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court;

and

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent.

RESOLUTION R.396-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by S&A General Construction & Dev Inc (New Owner) 110 Clive LLC for Tax Year 2019.

WHEREAS, S&A General Construction & Dev Inc. (New Owner) 110 Clive LLC (“Taxpayer”), the owner of property located at 110 Clive Street, Block 557.H, Lot 30.B on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax year 2019 with the Tax Court of New Jersey under Docket Number 011097-2019

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2019</u>
Land:	\$294,600.00
Improvements:	<u>\$100,000.00</u>
Total:	\$394,600.00

WHEREAS, the proposed settlement provides for an assessment of the 2019 Tax Year as follows:

	<u>2019</u>
Land:	\$169,200.00
Improvements:	<u>\$100,000.00</u>
Total:	\$269,200.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and “Jennifer R. Jacobus, Esq., attorneys for S&A General Construction & Dev Inc. (New Owner) 110 Clive LLC ” and forwarded to Jennifer R. Jacobus, Esq., 201 Littleton Road, 1st Floor, New Jersey 07950 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$6,737.74 for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2019 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2019</u>
Land:	\$169,200.00
Improvements:	<u>\$100,000.00</u>
Total:	\$269,200.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2019 under Docket Number 011097-2019, by the Taxpayers, owners of the property located at 110 Clive Street, Block 557.H, Lot 30.B.

4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court;

and

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent.

RESOLUTION R.397-082019**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	DWECK, ELI & BIJOU, ALBERT
PROPERTY LOCATION	2 ETHEL RD-SUITE 205A
BLOCK / LOT / QUALIFIER	50 / 17 / C2051

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
009821-2017	2017	429,700	429,000	(700)
009507-2018	2018	429,700	400,000	(29,700)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$1,601.87** for the years as follows:

TAX YEAR	TAX AMOUNT
2017	(36.09)
2018	(1,566.78)

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,601.87**.

RESOLUTION R.398-082019**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	KISLIN ASSOC INC C/O STANLEY KISLIN
PROPERTY LOCATION	106 TOWNSLEY ST
BLOCK / LOT / QUALIFIER	777 / 4.A

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced as follow for the tax years below, including Freeze Act Year(s), if any, as per provisions of N.J.S.A. 54:51A-8 (Freeze Act):

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
010234-2017	2017	\$527,800	\$500,000	(27,800)
010234-2017 Freeze Act	2018	\$527,800	\$500,000	(27,800)
010234-2017 Freeze Act	2019	\$527,800	\$500,000	(27,800)

WHEREAS, the reduction in assessed value caused a real estate tax overpayment in the amounts and for the years indicated as follow, totaling **\$3,021.31**:

TAX YEAR	TAX AMOUNT
2017	\$1,494.53
2018	\$1,526.78

WHEREAS, the reduction in assessed value may also cause a real estate tax overpayment for the current tax year **2019** for which the tax rate has not been set and Final Tax Bill has not been issued.

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the:

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts noted above totaling **\$3,021.31**.
- 4) Appropriate official of the Township of Edison, shall and is hereby authorized to draw additional check to the property owner or legal representative in the amounts calculated by the Tax Collector after the setting of the tax rate, if at such time the account reflects a further overpayment.

RESOLUTION R.399-082019

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	KARTIK REAL ESTATE LLC
PROPERTY LOCATION	1691 OAK TREE RD
BLOCK / LOT / QUALIFIER	643.DD / 19.F

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced as follow for the tax years below, including Freeze Act Year(s), if any, as per provisions of N.J.S.A. 54:51A-8 (Freeze Act):

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
003651-2017	2017	\$1,563,400	1,528,400	(35,000)
004071-2018	2018	\$1,563,400	1,530,400	(33,000)
004071-2018 Freeze Act	2019	\$1,563,400	1,530,400	(33,000)

WHEREAS, the reduction in assessed value caused a real estate tax overpayment in the amounts and for the years indicated as follow, totaling **\$3,693.96**:

TAX YEAR	TAX AMOUNT
2017	\$1,881.60
2018	\$1,812.36

WHEREAS, the reduction in assessed value may also cause a real estate tax overpayment for the current tax year **2019** for which the tax rate has not been set and Final Tax Bill has not been issued.

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the:

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts noted above totaling **\$3,693.96**.
- 4) Appropriate official of the Township of Edison, shall and is hereby authorized to draw additional check to the property owner or legal representative in the amounts calculated by the Tax Collector after the setting of the tax rate, if at such time the account reflects a further overpayment.

RESOLUTION R.400-082019

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	BHAMBRI, AJAY & MADHOK, NEHA
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PROPERTY LOCATION **26 PARKER RD**
 BLOCK / LOT / QUALIFIER **1004 / 3**

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
011578-2018	2018	464,700	450,000	(14,700)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$807.32** for the years as follows:

TAX YEAR	TAX AMOUNT
2018	(807.32)

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$807.32**.

RESOLUTION R.401-092019

WHEREAS, The Edison Department of Health and Human Services (EDHHS) established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty five years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Middlesex County Office of Arts & History (MCOAH) has grant funds available, through its 2020 Local Arts Program (LAP) for eligible programs, projects, activities and related costs of qualified organizations in throughout Middlesex County, for which it shall accept on-line applications via the 2020 MCOAH LAP I application website; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of approximately \$20,000.00 from the Middlesex County Office of Arts & History Local Arts Program I, as it shall help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, a 25% Cash Match is required to submit an application to and receive a grant award from the 2020 Middlesex County Office of Arts & History Local Arts Program I; and

WHEREAS, the EDHHS EMA/BRIDGES Teen Arts Program has successfully participated in the MCCHS (MCOAH) LAP over the past ten years; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Middlesex County Local Arts Program I as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application to the Middlesex County Office of Arts & History Local Arts Program I, at a regularly-scheduled Work Session on August 26, 2019 and Public Meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.402-092019

WHEREAS, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty two years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous personal/interpersonal conduct and activities; and

WHEREAS, the *Target Foundation* has grant funds available, through its *Field Grant Program* to support learning opportunities outside the classroom of qualified organizations and agencies of the communities Target stores serve, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding from the *Target Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its EMA Youth Programs; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Target Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the *Target Foundation* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, combined Work Session on the evening of Monday, August 26, 2019 and subsequent Public Meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.403-082019

Explanation: Approval and authorization by the Municipal Council of the Township of Edison of the development and submission of a grant application to the NJT S5310 FFY2018 Bus-Related Equipment and Facilities Program, funded by the Federal Transportation Authority (USFTA) USFTA SAFETEA-LU (80%) and NJ Transit (20%). The intent of this program is to improve mobility for seniors and individuals with disabilities by providing financial support to public and private transportation service providers, through programs planned, designed and carried out to meet the special transportation needs of these populations.

WHEREAS, the Edison Department of Health and Human Services (EDHHS) Division of Senior Services (DSS) operates an established and continuing passenger ETS (Edison Transportation Service) bus-services program for the transportation needs of local Senior and Disabled Citizens; and

WHEREAS, grant support of up to 80% is currently available from the 2018 USFTA NJDOT Section 5310 Bus and Bus-Related Equipment and Facilities Grant Program, as funded by the US Federal Transportation Authority (USFTA), with a requisite 20% cash match provided by NJ Transit; and

WHEREAS, EDHHS DSS desires to apply for and obtain an estimated \$64,000.00 grant from the 2018 USFTA S5310 Bus and Bus-Related Equipment and Facilities Program, with an estimated, requisite cash-match of \$16,000.00 to be provided by NJ Transit, in order to obtain the award of a new, fuel-efficient, high-mileage, lower-emissions, ADA-certified, gasoline-powered bus from NJT to serve the increasing transportation needs of the local Senior and Disabled Citizens of the Township of Edison; and

WHEREAS, the Township of Edison is an active participant in the County of Middlesex Coordinated Human Services Transportation Plan (CHSTP).

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby authorize the Edison Department of Health and Human Services Division of Senior Services to develop and submit said grant application to the 2018 USFTA S5310 Bus and Bus-Related Equipment and Facilities Program, funded by the USFTA (80%) and NJT (20%), at a regularly-scheduled Work Session on the evening of August 24, 2019 and Public Meeting on the evening of August 26, 2019.

RESOLUTION R.404-082019

EXPLANATION: A Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of

New Jersey; and

WHEREAS, the Township desires to avail itself of the numerous possibilities to supplement funding for projects beneficial to the Township; and

WHEREAS, to avail itself to the numerous possibilities to supplement funding for projects beneficial to the Township, Millennium Strategies, 60 Columbia Road, Suite 230, Morristown, New Jersey 07960 (“**Millennium Strategies**”) prepared a proposal for services, with regard to the grant research, writing and management services for the Township; and

WHEREAS, Millennium Strategies has proven itself as a successful and results-oriented grant research, writing and management firm, as is evidence by its current representation of numerous municipalities, counties and non-profits in New Jersey, New York, Pennsylvania and Delaware; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, the Township desires to retain Millennium Strategies at a cost of Sixty-Six Thousand Dollars (\$66,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to retain Millennium Strategies at a cost of Sixty-Six Thousand Dollars (\$66,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice, consistent with the Services Proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Millennium Strategies for its grant research, writing and management services.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Millennium Strategies.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.405-082019

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with Water Quality Accountability Act compliance.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, pursuant to the LPCL, the Township issued a Request for Proposals for Engineering Services, RFP 16-06, and by way of Resolution R.528-072016 authorized Mott MacDonald (“**Engineer**”) to provide engineering services on an as-needed basis,

WHEREAS, the Township desires to authorize the Engineer to provide engineering services in conjunction with compliance by the Township with the requirements of the New Jersey Water Quality Accountability Act (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an additional One Hundred Sixty-Five Thousand and Two Hundred Dollars (\$165,200.00) to Engineer in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to authorize the Engineering Services in the amount of \$165,200.00, consistent with the proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$165,200.00.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.406-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Rivendell Lights, LLC, with respect to Block 3-B, Lots 18 and 19 on the Edison Township Tax Map, and more commonly known as the property located at the intersection of Zanzalari Way (a/k/a Truman Drive) and Yosko Drive (a private road).

WHEREAS, Block 3-B, Lots 18 and 19, more commonly known as the property located at the intersection of Zanzalari Way (a/k/a Truman Drive) and Yosko Drive (a private road), as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Rivendell Lights, LLC ("**Developer**"), for preliminary and final site plan approval to permit the construction of a 250-unit multi-family development, housed in 17 buildings with 485 parking spaces, with 15% of the units, or 38 apartments, set aside for low and moderate income residents at the Property (the "**Project**"); and

WHEREAS, the Board granted amended site plan approval for the Project by adoption of a resolution on December 17, 2018 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Developer's Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer's Agreement with the Township in connection with the Project; and

WHEREAS, the Developer's Agreement attached hereto between the Township and Developer (the "**Agreement**") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.

3. This Resolution shall take effect immediately.

RESOLUTION R.407-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Federal Business Centers, with respect to Block 390-E, Lot 4 on the Edison Township Tax Map, and more commonly known as 165 Fieldcrest Avenue.

WHEREAS, Block 390-E, Lot 4, more commonly known as 165 Fieldcrest Avenue, as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Federal Business Centers

(“**Developer**”) for amended final site plan approval and a parking variance to expand the parking area in the rear, southwest corner of the Property to increase the number of parking spaces from 154 to 172 at the Property (the “**Project**”); and

WHEREAS, the Board granted amended site plan approval for the Project by adoption of a resolution on May 13, 2019 (the “**Resolution**”); and

WHEREAS, the Township of Edison (the “**Township**”) and Developer desire to enter this Developer’s Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer’s Agreement with the Township in connection with the Project; and

WHEREAS, the Developer’s Agreement attached hereto between the Township and Developer (the “**Agreement**”) has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION R.408-082019

EXPLANATION: A resolution requesting that the Township Planning Board review a draft resolution designating certain properties at Patrick Street and Route 287, specifically, Block 203, Lot 17, Qualifier C0003 and C000C, owned by 21 Cortlandt Street Condominium, Unit C, which is generally shown on the proposed Subdivision Plan prepared by Menlo Engineering dated July 11, 2002 as proposed Unit C, and Block 206, Lots 1A-15, as identified on the attached map, as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. as amended (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation,” as defined in the Redevelopment Law; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) has determined to investigate whether the property bounded by Patrick Street and Route 287, as more fully detailed on the map attached hereto as Exhibit A (the “**Study Area**”) should be designated as an area in need of rehabilitation; and

WHEREAS, Section 14 of the Redevelopment Law, N.J.S.A. 40:12A-14(a), provides that prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating such property to the Township planning board (the “**Planning Board**”) for review; and

WHEREAS, the Township seeks the review and recommendations of the Planning Board in connection with the Township’s finding that 1) the area is vacant, underutilized and deteriorating, and 2) a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, including new construction, are expected to prevent further stagnation and deterioration and to promote the overall development of the community; and

WHEREAS, based on the foregoing, the Municipal Council intends to designate the Study Area as an area in need of rehabilitation pursuant to the Redevelopment Law by way of the adoption of a resolution substantially in the form attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution, inclusive of *Exhibits A* and *B*, to the Planning Board for its review and recommendation to the Municipal Council, returnable within forty-five (45) days of receipt of this Resolution, pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*.

Section 3. A copy of this Resolution shall be available for public inspection at the offices of the Township.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.409-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Utility Engineering and Construction Agreement and Amendment thereto with the State of New Jersey Department of Transportation, with respect to work required to be performed in connection with the construction of the Oak Tree Road Bridge on CR 604.

WHEREAS, the State of New Jersey Department of Transportation (the “**NJDOT**”), is required to perform work related to the construction of the Oak Tree Road Bridge on CR 604 (the “**Project**”), in the Township of Edison (“**Township**”); and

WHEREAS, the work may require the protection, relocation and/or adjustment of certain facilities of the Township’s existing sewer system; and

WHEREAS, NJDOT will be responsible for the cost of relocating any public utility and cable television facilities to accommodate the work; and

WHEREAS, while the Township has some obligation for certain design and other work responsibilities as specifically set forth in the Agreement, the NJDOT will reimburse the Township for such costs; and

WHEREAS, the Township and NJDOT desire to enter a Utility Engineering and Construction Agreement and Amendment thereto (together, the “**Agreement**”) to establish the terms pursuant to which the NJDOT shall undertake construction on the Project, and related matters; and

WHEREAS, the Agreement attached hereto between the Township and NJDOT has been reviewed and approved by the Township Attorney, the Township Engineer and NJDOT.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor, or his authorized designee, is hereby authorized to execute the Agreement substantially in the form as attached hereto as *Exhibit A*, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor or his authorized designee, in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of both the Agreement and Resolution to NJDOT.
3. This Resolution shall take effect immediately.

RESOLUTION R.410-082019

EXPLANATION: This Resolution increases the amount for professional fees to be paid to Radiant Resources, Inc. for its professional services related HR/Payroll Service Integration for the Township.

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on September 6, 2018 for RFP 18-07R-HR/Payroll Service Integration for a bid opening date of September 18, 2018 and two (2) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it was recommended by the Evaluation Committee that the contract be awarded to Radiant Resources, Inc. (“**Radiant**”), 1913 Atlantic Ave., Manasquan, NJ 08736; and

WHEREAS, pursuant to Resolution R.558-102018, the Municipal Council authorized such contract for an amount not to exceed \$30,000.00; and

WHEREAS, pursuant to Resolution R.062-012019, the Municipal Council authorized an increase in such contract by an amount not to exceed \$35,000.00, as more time was required to complete performance of the services under the contract; and

WHEREAS, pursuant to the request of the Township’s Chief Financial Officer, full implementation of the payroll system is expected to take place on January 1, 2020, which will require additional support from Radiant and an additional increase in the contract amount; and

WHEREAS, the Municipal Council finds that the services provided under the contract are important to the Township, and the costs associated with the increased contract amount have been certified to be available in the Finance Department Professional Services Account; and

WHEREAS, the Municipal Council desires to increase the amount available for these services by an additional amount not to exceed \$19,000.00, and authorizes the payment to Radiant for such services under the contract.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The budgeted amount to be paid Radiant for its HR/Payroll Integration services pursuant to the terms of the contract is hereby increased by an amount not to exceed \$19,000.00. The Chief Financial Officer or his designee is hereby authorized to make payments to Radiant under the contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the contract to memorialize the increase of the budgeted amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2019 calendar year, funds in the amount of an additional \$19,000.00 are available in Account No: 9-01-20-0130-001-028 for HR/Payroll Integration Services.

/s/ Nick Fargo
Chief Financial Officer

RESOLUTION R.411-082019

EXPLANATION: This resolution provides for the refund of the unused portion of Developer’s Escrow Fees posted by Spectrum LLC for its Planning Board application

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees were posted on January 31st, 2017, by Spectrum LLC (the “Applicant”) for a project located at 1963 Oak Tree Road, Edison, N.J. 08820 in Block 561, Lot 5-7 and Application # Z2-2017, pursuant to Township Ordinance; and

WHEREAS, the Applicant has requested the return of the unused portion of Developer’s Escrow Fees, as provided by law; and

WHEREAS, it is now in order that the sum of \$3,390.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to the Applicant.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$3,390.00 plus accrued interest, if applicable, be refunded to John Pulomena, Spectrum LLC, 5 Holly Park Drive, South Plainfield, N.J 07078

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$3,390.00 plus accrued interest, if applicable, in account #DE17013SP to the applicant.

RESOLUTION R.412-082019

EXPLANATION: This Resolution authorizes the execution of a funding agreement with 1058 King George's Post Road Urban Renewal LLC and 1105 King George's Post Road Urban Renewal LLC in furtherance of redevelopment efforts pursuant to the Woodbridge Avenue Redevelopment Plan.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Municipal Council of the Township (the "**Municipal Council**"), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the Township (the "**Planning Board**") to determine whether the property identified as Block 755.B, Lot 38 and Block 390.A, Lot 1.A4 on the official tax map of the Township, in the area of 844-1075 King George's Post Road ("**Study Area**") and as further described in the legal description attached hereto as *Exhibit A*, met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the Municipal Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on October 28, 2015, the Municipal Council adopted a resolution which designated the Study Area as an "area in need of development" pursuant to the Redevelopment Law (the "**Redevelopment Area**"); and

WHEREAS, on July 24, 2019, the Municipal Council adopted Ordinance O. 2046-2019 by which it accepted the recommendation of the Planning Board and adopted, in accordance with the Redevelopment Law, a redevelopment plan entitled the "Woodbridge Avenue Redevelopment Plan" prepared by Bignell Planning Consultants (the "**Redevelopment Plan**") for the Redevelopment Area; and

WHEREAS, 1085 King George's Post Road Urban Renewal LLC and 1105 King George's Post Road LLC (collectively, the "**Entity**") seeks to redevelop the Property; and

WHEREAS, the Township and the Entity have negotiated the terms of a Funding Agreement, attached hereto as *Exhibit A* (the "**Agreement**"), to provide for the funding of certain Township professionals fees related to the redevelopment activities regarding the Property; and

WHEREAS, the Municipal Council desires to memorialize its acceptance of the terms of the Agreement, and its authorization for the appropriate Township representative to execute same.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The recitals are hereby incorporated as if restated herein in full.
2. The Agreement is hereby approved and accepted, subject to such additions, deletions, modifications or amendments deemed necessary in consultation with counsel that do not substantially alter the rights and responsibilities of the parties, and to take all other necessary and appropriate action to effectuate the Agreement.
3. The Mayor or the Mayor's designee, as appropriate, is authorized and directed to execute the Agreement consistent with the terms set forth therein.
4. This Resolution shall take effect immediately.

RESOLUTION R.413-082019

EXPLANATION: A Resolution authorizing an agreement with Edmunds & Associates, Inc. for the purpose of data migration related to certain water utility accounts.

WHEREAS, the Township of Edison ("**Township**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township desires to avail itself of services related to data migration for the purpose of integrating approximately 12,000 water utility accounts into the Township’s existing utility database; and

WHEREAS, Edmunds & Associates, Inc. (“**Edmunds**”) prepared a proposal for services, with regard to such data migration services for the Township; and

WHEREAS, Edmunds has a proven track records for providing such services; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, the Township desires to retain Edmunds at a cost of Sixty-Four Thousand Five-Hundred Dollars (\$64,500.00), for one (1) year from the date of execution of a contract, to undertake data migration and associated services for the Township, whereby either party may terminate the contract on fourteen (14) days’ written notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The Township desires to retain Edmunds at a cost of Sixty-Four Thousand Five-Hundred Dollars (\$64,500.00), consistent with the Services Proposal attached hereto as Exhibit A.
- Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Edmunds for its data migration and related services.
- Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.
- Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Edmunds.
- Section 6. This Resolution shall take effect immediately.

RESOLUTION R.414-082019

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 203, Lot 17, Qualifier C0003 and C000C, owned by 21 Cortlandt Street Condominium, Unit C, which is generally shown on the proposed Subdivision Plan prepared by Menlo Engineering dated July 11, 2002 as proposed Unit C, and Block 206, Lots 1A-15, as identified on the attached map (in the area bounded by Patrick Street and Route 287) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council (“**Municipal Council**”) of the Township of Edison (the “**Township**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Patrick Street and Route 287, specifically, Block 203, Lot 17, Qualifier C0003 and C000C, owned by 21 Cortlandt Street Condominium, Unit C, which is generally shown on the proposed Subdivision Plan prepared by Menlo Engineering dated July 11, 2002 as proposed Unit C, and Block 206, Lots 1A-15 on the tax map of the Township, as identified on the attached map (in the area bounded by Patrick Street and Route 287) (hereinafter the “**Study Area**”) (and more specifically described on the map attached hereto as Exhibit A), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condensation Redevelopment Area**”).

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.415-082019

RESOLUTION AWARDED NON FAIR AND OPEN CONTRACT TO PS&S FOR THE EDISON TOWNSHIP DEPARTMENT OF PUBLIC WORKS FACILITY MASTER PLAN

WHEREAS; Edison Township is in need of an architecture firm to evaluate the New Durham Road Municipal Garage and Yard to determine the best and most cost-effective use of the property and develop an operative Department of Public Works facility; and

WHEREAS; PS&S, 67A Mountain Blvd Ext, PO Box 4039, Warren, NJ 07059, has submitted a proposal to provide said services for a price not to exceed \$39,900.00; and

WHEREAS, funds in the amount of \$39,900.00 have been certified to be available in the Section 20 Costs Account, No. C-04-15-1914-490-000; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et. Seq.*; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition could exceed \$17,500.00; and

WHEREAS, prior to entering into a contract PS&S, will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit PS&S from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$39,900.00, and any other documents with PS&S, 67A Mountain Blvd Ext, PO Box 4039, Warren, NJ 07059 in accordance with the proposal.
2. This contract is awarded pursuant to *N.J.S.A. 19:44A-20.5 et. seq.*

3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$39,900.00** are available for the above contract in Account No. **C-04-15-1914-490-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.416-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO PANRAMA TOURS, INC. FOR THE FURNISHING OF BUS SERVICES

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, PANORAMA TOURS, INC., 480 Main Ave., Suite 8, Wallington, NJ 07057, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,500.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by PANORAMA TOURS, INC., 480 Main Ave., Suite 8, Wallington, NJ 07057 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,500.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with PANORAMA TOURS, INC.

RESOLUTION R.417-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO VILLANI BUS CO. FOR THE FURNISHING OF BUS SERVICES

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, VILLANI BUS CO., 811 E. Linden Ave., Linden, NJ 07036, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$4,600.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by VILLANI BUS CO., 811 E. Linden Ave., Linden, NJ 07036 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$4,600.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with VILLANI BUS CO.

RESOLUTION R.418-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SUBURBAN TRAILS INC. FOR THE FURNISHING OF BUS SERVICES

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, SUBURBAN TRAILS, INC., 750 Somerset St., New Brunswick, NJ 08901, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$33,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by SUBURBAN TRAILS, INC., 750 Somerset St., New Brunswick, NJ 08901 for Bus Services for the Township of Edison, is

determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.

- 2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with SUBURBAN TRAILS, INC.

RESOLUTION R.419-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO GEORGE DAPPER INC. FOR THE FURNISHING OF BUS SERVICES

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, GEORGE DAPPER INC., 1020 Green St., Iselin, NJ 08830, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$12,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

- 1. All bids have been reviewed, and the bid submitted by GEORGE DAPPER INC., 1020 Green St., Iselin, NJ 08830 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
- 2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with GEORGE DAPPER INC.

RESOLUTION R.420-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CVR COMPUTER SUPPLIES FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, CVR COMPUTER SUPPLIES, 1606 S. Bowling Green Dr., Cherry Hill, NJ 08003 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by CVR COMPUTER SUPPLIES, 1606 S. Bowling Green Dr., Cherry Hill, NJ 08003 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CVR COMPUTER SUPPLIES.

RESOLUTION R.421-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE TREE HOUSE, INC. FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$25,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 for the first year and any succeeding renewal year contingent upon

appropriation of sufficient funds each renewal year and any other necessary documents with THE TREE HOUSE, INC.

RESOLUTION R.422-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO W. B. MASON CO., INC. FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, W. B. MASON CO. INC., 21 Commerce St., Cranbury, NJ 08512 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$12,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by W. B. MASON CO., INC., 21 Commerce St., Cranbury, NJ 08512 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with W. B. MASON CO., INC.

RESOLUTION R.423-082019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC. FOR THE MAINTENANCE, REPAIR AND PURCHASE OF RADIO COMMUNICATION EQUIPMENT AND SERVICES

WHEREAS, there is a need for all Township of Edison Departments to maintain, purchase and repair radio communication equipment and services for the period of August 1, 2019 through July 31, 2020; and

WHEREAS, MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 has been awarded State Contract Number 83909 under T-0109/Radio Communication Equipment and Services; and

WHEREAS, the maintenance portion of the contract covers parts and labor. This portion of the contract is \$234,838.08; and

WHEREAS, the repairs/purchase portion of the contract covers time and materials repairs to the portable and vehicle radios that is not covered by the maintenance agreement as well any new purchases if necessary. This expense will be capped at an not to exceed amount of \$175,000.00; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$409,838.08 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 83909/T-0109.

RESOLUTION R.424-082019

RESOLUTION ACCEPTING QUOTE AND AWARDED CONTRACT/PURCHASE ORDER TO NEW VENTURE CONSTRUCTION FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2015 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were solicited by the Township of Edison for Case Number 0119; and

WHEREAS, NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817, submitted the lowest quote in the amount of \$18,780.00 and funds in the amount of \$18,780.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-15-0510-000-001; and

WHEREAS, for the year 2018, the Township expended \$15,930.00 with NEW VENTURE CONSTRUCTION, and the current contract in the amount of \$18,780.00 will make a combined total amount of \$34,710.00 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, this Contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, prior to contract/Purchase order, NEW VENTURE CONSTRUCTION will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit NEW VENTURE CONSTRUCTION from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. Quotes have been reviewed and the quote in the amount of \$18,780.00 by NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817 for home improvements (Case #0119) has been reviewed and is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$18,780.00 and any other necessary documents, with NEW VENTURE CONSTRUCTION.
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.

- 4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$18,780.00** are available for the above contract in Account No. **T-14-15-0510-000-001**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.425-082019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON AMENDING THE FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

EXPLANATION: With this resolution, the Township Council amends Resolution R.319-062018 of the FY2018 Community Development Block Grant to include the transfer of funds from FY2016 and FY2017 Infrastructure Projects in the amount of \$313,677.23 to FY2018 Infrastructure Projects and Kiddie Keep Well Camp Building Improvements and increases the FY2018 grant in the amount of \$853,245.23 and approves the projects and activities funded by the additional amount under this grant year.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development allows the transfer of funds from fiscal year to fiscal year and eligible activity to eligible activity when balances remain unspent or activities are cancelled; and

WHEREAS, CDBG funds are being transferred from FY2016 and FY2017 to Infrastructure activities to be carried out under the FY2018 budgeted year; and

WHEREAS, an amendment to Resolution R.319-062018 is necessary to reflect the transfer of these funds into the 2018 Fiscal Year; and

WHEREAS, the Township’s original budgeted total of \$539,568 for the 2018 fiscal year will be amended to allow for the increase of funding in the amount of \$853,245.23 as reflected on the FY2018 Summary of the Annual Action Plan Allocations that are attached; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The Amended Resolution for the Consolidated Annual Action Plan for Fiscal Year 2018 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an amended Annual Plan for the 2018 Fiscal Year increasing the funding to \$853,245.23, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program’s activities that are attached as the Proposed Summary of FY18 Annual Action Plan Allocations and listed in the 2018 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. An original certified copy of this amended resolution shall be forwarded to the CDBG Coordinator.

RESOLUTION R.426-082019

WHEREAS, the Township Planning Board Secretary advises that the Developer Escrow Fees posted by Edison 8, LLC for a project located at 1745 Lincoln Highway, Edison ,NJ in block 96 , Lot 45 & 46 and application Z61-2018; and

WHEREAS, the application was required to Post developers escrow fees, pursuant to Township Ordinance: and

WHEREAS, on March 24, 2019 a mistake was made the payment was suppose to go to Municipal Court for fees for Edison 8 and Edison 1 but was posted to the Escrow Account deposit with the Township of Edison in the Account DE181029ED, 68392140 for Developers Escrow fees: and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum of \$4,165.00 plus accrued interest, if applicable be refunded to Edison 8 LLC.PO Box 326, Plainfield, NJ 07061;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$4,165.00,plus accrued interest, if applicable from the Refund of Revenue Fund to the Edison 8 LLC. PO Box 326, Plainfield, NJ 07061-0326.

RESOLUTION R.427-082019

EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee, posted for a construction permit for Beginnings Church of the Nazarene under Resolution R.336-062019

WHEREAS, on June 17, 2019, a Construction Permit fee, check #2759, permit #2019-2064, was posted in the total amount of \$76.00 by Joann E. Speer, having an address at 86 Pheasant Run. Edison, NJ, 08820; and

WHEREAS, the application was submitted for 3 receptacles at Church of Nazarene located at 80 Jefferson Blvd. Edison, NJ 08817, by the hired contractor, VJR Electric Contractor. Church of Nazarene apply and received a resolution for waived fees under Resolution #336-062019;

WHEREAS, the church of the Nazarene requested and was granted a waiver of any all permit fees Under Resolution R.336-062019. The municipal permit fee in the amount of \$75.00, derived from the \$76.00 total construction permit fee less the \$1.00 DCA fee, be refunded to Joann E Speer who paid for the permit.

WHEREAS, the Township building code official recommends the refund of the municipal permit fee, on Construction Permit #2019-2064, in the amount of \$75.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 on construction permit fees posted by Joann E. Speer, at 86 Pheasant Run, Edison, NJ 08820;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 from the Refund of Revenue Fund to Joann E. Speer, at 86 Pheasant Run, Edison, NJ 08820;

RESOLUTION R.428-082019

WHEREAS, the Edison Township Environmental Commission (ETEC) plans to develop and submit an application to the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* for grant funds to help support the development of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* as an eligible green infrastructure activity; and

WHEREAS, the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* grant awards will support the costs of approved eligible projects for an approximate, maximum amount of \$100,000.00; and

WHEREAS, the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* does not require a mandatory cash match of the awardee; and

WHEREAS, ETEC had previously obtained funding commitments from the Middlesex County Open Space Trust Fund, Investors Foundation and Edison Greenway Group to help support part of the development of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project*; and

WHEREAS, the Edison Township Environmental Commission shall utilize all grant funds awarded to it by the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* in support of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* as described in its application for said funds and in compliance with all pertinent Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, State of New Jersey, does hereby approve and authorize the development and submission of said *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program grant application* by ETEC for the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* at a regularly-scheduled, public meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.429-082019

EXPLANATION: Resolution Refunding Cash Performance to Glendale Properties LLC.. Application # P27-02/03 in Account # 7760013259

WHEREAS, the Township Engineer advises that an inspection has been made of Glendale Properties LLC. Application #**P 27-02/03** - 75 Glendale Avenue Block:340 Lot: 1.F,1J and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$33,216.78** plus accrued interest, if applicable on deposit in account # **7760013259** with the Township of Edison, principal being Glendale Properties LLC., having offices at 75-77 Grove Street , Paterson, NJ 07503 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$33,216.78** plus accrued interest, if applicable, on deposit in account # **7760013259** to the applicant, Glendale Properties LLC. 75-77 Grove Street ,Paterson , NJ07503 .

RESOLUTION R.430-082019

WHEREAS, the Township Engineer advises that an inspection has been made of Beechwood at Edison LLC. ,2650 Woodbridge Avenue located in Block #396 Lot #5 &7 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Division of Engineering Services recommends the release of the **Performance Bond #EACX107000007** of Endurance Assurance Corporation in the amount of **\$34,449.84**, principal being JSM @ Beechwood at Edison ,LLC., LLC, having offices at 1260 Stelton Road, Piscataway, 08854 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk is hereby authorized to release the aforesaid Performance Bond;

RESOLUTION R.431-082019

WHEREAS, the Township Engineer advises that an inspection has been made of Wardlaw Hartridge School 1295 Inman Avenue, located in Block #415 Lot #9E-3, 9J-1, 9K, 10A, Application # P2-2016 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Division of Engineering Services recommends the release of the **Performance Surety No. 14129758** of the Guarantee dated March 26,2016 in the amount of **\$ 327,834.00**, principal being Wardlaw Hartridge School having offices at 1295 Inman Avenue, Edison, New Jersey 08820 and acceptance of the subject improvements; and

WHEREAS, a Performance Surety Guarantee in the amount of **\$327,834.00** is being held by the Township of Edison; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk is hereby authorized to release the aforesaid Performance Bond; and

WHEREAS, a Cash Performance check was posted on July 8, 2016 by Check #9428608348 in the amount of \$ **36,426.00**, on deposit in account # **CP160707TH**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$36,426.00** plus accrued interest, if applicable, on deposit in account #**CP160707TH** to the applicant and the Surety Bond # **14129758** in the amount of **\$327,834.00** of The Guarantee Company of North America to The Warlaw- Hartridge School,1295 Inman Avenue, Edison,NJ,08820

RESOLUTION R.432-082019

RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR CONTRACT NO. 19-01-15 WITH WHIRL CORPORATION, INC. TO RECTIFY A DRAINAGE ISSUE AT CAPESTRO PARK

WHEREAS, Resolution R.076-022019 dated February 13, 2019 authorized a contract with WHIRL CORPORATION, INC., PO Box 110, 194 Main St., Port Monmouth, NJ 07758 for Playground Equipment Installation at various locations; and

WHEREAS, Change order No 1 is needed to address unforeseen conditions that are found to be necessary to rectify a drainage issue at Capestro Park that was not initially anticipated at the time of contract award in the amount of \$11,975.00; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

WHEREAS, funds in the amount of \$11,975.00 have been certified to be available in the Various Twp Building and Parks Improvements Account, No C-04-15-1914-100-000; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Change Order #1 to the contract with WHIRL CORPORATION, INC., PO Box 110, 194 Main St., Port Monmouth, NJ 07758 is hereby authorized in the amount of \$11,975.00 for a total amended contract amount of \$545,934.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,975.00** are available for the above in Account No. **C-04-15-1914-100-000** for a revised construction contract amount of **\$545,934.00**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.433-082019

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) TORO GROUNDSMASTER 4000-D ROTARY MOWERS FROM STORR TRACTOR COMPANY THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded ESCNJ 18/19-25 GROUNDS EQUIPMENT under NJ State approved coop #65MCECCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with the STORR TRACTOR COMPANY for the purchase of two (2) Groundsmaster 4000-D Rotary Mowers; and

WHEREAS, the total amount of this contract shall not to exceed \$133,692.80 (\$66,846.40 each); and

WHEREAS, funds in the amount of \$133,692.80 have been certified to be available in the Acquisition of Public Works Equipment account, number C-04-15-1914-310-000; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$133,692.80, and any other necessary documents, with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$133,692.80** are available for the above in Account No. **C-04-15-1914-310-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.434-082019

RESOLUTION ACCEPTING QUOTE AND AWARDED CONTRACT/PURCHASE ORDER TO RARITAN GOUP, INC. FOR THE PURCHASE OF THREE CHECK VALVES WITH ACCESSORIES FOR THE PROGRESS STREET PUMPING STATION

WHEREAS, quotes were solicited by the Township of Edison for the purchase of three check valves with accessories for the Progress Street Pumping Station; and

WHEREAS, RARITAN GROUP, INC., 301 Meadow Road, Edison, NJ 08817, submitted the lowest quote in the amount of \$19,327.35; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, prior to entering into a PO/contract, Raritan Group, Inc., will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit Raritan Group, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$19,327.35 have been certified to be available in the Sewer Materials and Supplies Account, No. 9-07-55-0501-000-030; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor or his designee is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, with RARITAN GROUP, INC., 301 Meadow Road, Edison, NJ 08817, in the amount not to exceed \$19,327.35 for various sewer equipment and materials as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-2 et seq and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$19,327.35** have been certified to be available in Account No. **9-07-55-0501-000-030**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.435-082019

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT/PURCHASE ORDER TO BAYSHORE FOR THE RECYCLING OF ASPHALT AND/OR CONCRETE

WHEREAS, the Township of Edison has a need to dispose of and recycle asphalt and/or concrete; and

WHEREAS, although such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5(s), quotes were solicited and it is in the best interest of the Township to utilize BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 price and other factors considered; and

WHEREAS, the total amount of the contract shall not exceed \$15,000.00; and

WHEREAS, prior to contract/Purchase order, BAYSHORE, will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit BAYSHORE, from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order for \$15,000.00 with BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 for the recycling of asphalt and/or concrete as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40:11-5(s).

RESOLUTION R.436-082019

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PO TO A.M.E., INC FOR A NEW SANYO SPLIT AIR CONDITIONING SYSTEM FOR THE WATCH COMMANDERS AREA

WHEREAS, an emergency condition existed in which the watch commanders area needed a new air conditioning unit; and

WHEREAS, A.M.E., INC., 1275 Bloomfield Ave., Bldg.#2, Fairfield, NJ 07004, our current HVAC Maintenance and Repair contractor, quoted a price not to exceed \$6,907.81 for this replacement; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, funds in the amount of \$6,907.81 have been certified to be available in the Various Township Building and Park Improvement Account, Number C-04-15-1914-100-00; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/PO in the amount not to exceed \$6,907.81, and any other necessary documents, with A.M.E., INC., 1275 Bloomfield Ave., Bldg. #2, Fairfield, NJ 07004.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$6,907.81** are available for the above contract in Account No. **C-04-15-1914-100-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.437-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000355, to the following:

Permit Number: DEV-0098

Opening Location: 82 SILVER LAKE AVE

Block/Lot: 337.E/18.H

Applicant’s Name & Address:

**JAYDEEP J PANDYA
82 SILVER LAKE AVE
EDISON, NJ 08817**

Initial Deposit Date: 05/24/2019

Deposit Amount: \$680.00

Paid by & refunded to:

**JAYDEEP J PANDYA
82 SILVER LAKE AVE
EDISON, NJ 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.438-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000357, to the following:

Permit Number: DEV-0103

Opening Location: 7 FERRIS RD

Block/Lot: 1156/7

Applicant’s Name & Address:

**KATHRYN MARTINAK
7 FERRIS RD
EDISON, NJ 08817**

Initial Deposit Date: 06/04/2019

Deposit Amount: \$360.00

Paid by & refunded to:

**KATHRYN MARTINAK
7 FERRIS RD
EDISON, NJ 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.439-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000359, to the following:

Permit Number: DEV-0107

Opening Location: 15 PRICE DR

Block/Lot: 97.C/36

Applicant’s Name & Address:

**MARCO LARREA
15 PRICE DR
EDISON, NJ - 08817**

Initial Deposit Date: 06/07/2019

Deposit Amount: \$1400.00

Paid by & refunded to:

**MARCO LARREA
15 PRICE DR
EDISON, NJ - 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.440-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000362, to the following:

Permit Number: DEV-0106

Opening Location: 116 STEPHENVILLE PKWY

Block/Lot: 557.W/11

Applicant's Name & Address:

**J V PAVING LLC
P.O.BOX 505
ROOSEVELT, NJ 08555**

Initial Deposit Date: 06/12/2019

Deposit Amount: \$1400.00

Paid by & refunded to:

**J V PAVING LLC
P.O.BOX 505
ROOSEVELT, NJ 08555**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.441-082019

DRUNK DRIVING ENFORCEMENT FUND (DDEF)

2019

Grant Application

WHEREAS, the Division of Police will apply for grant funding in the amount of \$7189.47 to provide additional manpower hours to enforce DWI Laws as well as an additional \$7189.47 to be used to purchase new breath testing equipment, total allocation requested is \$14,378.94; and

WHEREAS, an enforcement crackdown will be planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

WHEREAS, the State of New Jersey, Department of Law and Public Safety -Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to apply for funds through the Drunk Driving Enforcement Fund 2019 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.

RESOLUTION R.442-082019

Explanation: The Body Armor Replacement Fund is funded through a \$1 surcharge to each fine, penalty or forfeiture imposed and collected by a judge under authority of any law for any violation of the provisions of Title 39 of the Revised Statutes. Moneys collected and deposited in the Fund are used in making grants to local and state law enforcement agencies for the purchase of body vests.

RESOLUTION APPROVING PARTICIPATION IN 2019 NJ STATE BODY ARMOR REPLACEMENT GRANT FUNDING PROGRAM

WHEREAS, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department’s commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to participate to the fullest extent in the New Jersey Division of Criminal Justice,

RESOLUTION R.443-082019

**DRIVE SOBER OR GET PULLED OVER
2019
Labor Day Crackdown
Grant Approval**

WHEREAS, the Division of Police has been awarded grant funding in the amount of \$5,500.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2018, nationwide, fatalities from traffic accidents remained above 40,000, many of which related to alcohol consumption; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; the project will involve increased enforcement from August 16 through September 2, 2019; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to approve the grant, Drive Sober or Get Pulled Over 2019 Labor Day Crackdown between August 16, 2019 – September 2, 2019 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant approval for and on behalf of the Township of Edison.

RESOLUTION R.444-082019

RESOLUTION AUTHORIZING A REIMBURSEMENT TO MOHIT JAIN FOR THE ABC PROGRAM

WHEREAS Mohit Jain made payment in the amount of \$320.00 for his child Yash Jain’s participation in the ABC Program at James Madison Intermediate School; and

WHEREAS the child was withdrawn from the program prior to attending; and

WHEREAS payment was already made.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$320.00 to Mohit Jain, 578 Darwin Blvd., Edison, NJ, 08820 which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$320.00 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.445-082019

WHEREAS, on, June 12, 2019 the Municipal Council adopted Resolution R.301-062019 which granted a Renewal of Plenary Retail Consumption Liquor License to Gabriel Roman License 1205-33-008-008.

WHEREAS, the Municipal Council desires to rescind the License 1205-33-008-008 from Resolution R.301-062019 due to failure to timely renewal pursuant to N.J.S.A. 33:1-12:39 for 2019-2020 License term.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that License 1205-33-008-008 from Resolution R.301-062019 which was adopted on June 12, 2019 is hereby rescinded

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Patil, Sendelsky and Council Vice President Patil

ABSENT- Councilmember Gomez

NAYS - None

ORAL PETITIONS AND REMARKS

Council Vice President Patil opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue, in yesterday’s Sentenial Metuchen had a push for a new interchange of 287. If we are the 5th largest town in the state we must pay a lot of gas tax we should get our representatives, Mayor, Assemblyman to the Governor.

Councilmember Lombardi said he knows Assemblyman Karabinchak is working on this, the Mayor mentioned this in his state of the Township Address, demanding of everybody.

Mr. Diamond, regarding Resolution R.405-08219 hopes that this will be charged to the twelve thousand residents of South Edison.

Ms. Ruane replied yes.

Councilmember Diehl, dove tail on the 287 exchange it an important piece, use the comments made tonight the resident have spoken there is a sense of urgency. He applauded the efforts of Assemblyman Karabinchak and Councilmember Lombardi.

Councilmember Lombardi he will contact Assemblyman Karabinchak. We were working together with the Exxon property and we were hoping that the Rockefeller Group would work together with the State, but it doesn’t seem that is working out.

Walt Stochel, 2118 Oak Tree Road, follow up on Mundy Avenue the council acted prudently by tabling the Mundy Avenue Ordinance. As explained in the Letter from the Open Space Committee this block is noted in the Open space Plan as a trail. The Open Space committee will be discussing this at our September 5th Meeting at 7:00pm in the Edison Room. He gave the Clerk a letter requesting a copy of the attachments and all correspondence concerning the vacation. He also gave the clerk a copy of the Historical Site in the

Raritan & Millstone Valleys book which Edison has three Historical Sites in this book. The parcel on Woodland Avenue the county will be acquiring. If we can acquire the other piece we may have acquired the second largest Revolutionary Battle Field in New Jersey.

Councilmember Diehl echoed what Mr. Stochel just said the importance of the trails it's a success story on the Green Way Trails. It's really important as our Township gets bigger we preserve not only for enjoyment like the Green Way but also for safety. In the case of Mundy Avenue vacation if the kids cannot walk they will be walking three quarters of a mile that just doesn't make sense when we can preserve fifteen feet of walk way. Our best avenue is to go with the recommendations of the Open Space Committee.

John Roche, 34 Hamilton Avenue, the lights were on the Firehouse on Route 27 it's seems there were a lot of lights on. Are we doing some energy efficient measures on public building?

Fire Chief Latham reported all Township buildings have energy efficient lighting. The outside lights are on for safety and security. Outside sensors are by sunlight.

Walt Shneer, Park Way, boardwalk down by the Boat Basin was that a private contractor put in? Is that part of Public Works to keep clean? He handed in pictures of the high water weeds, graffiti, etc.

Ms. Ruane said she believes it was put in by private contractor. She is already looking into this.

Jim Sues, he works for a State Wide Organization in South Plainfield it has come to his attention that Sam Khan who is on the Planning Board for Edison Township is under scrutiny and is being suggested he be removed from that board because of some comments made on Sunday night. I came here to speak on his behalf. I am the Executive Director of the New Jersey Council on American Islamic relations and explained their mission and responsibilities. Mr. Sam Khan works harder at these think than he does all of this also without getting paid to his society. He was making comments on a crisis that is occurring in Kashmir, it our responsibility to speak out against injustice.

Maria Orchid, 83 Jefferson Avenue, reminder on September 4th school starts, please be mindful. September 10th Election will there be sample ballots sent along with what location to vote at. Committee of the Whole is scheduled for Rosh Hannah. She asked if there is a list of people who were asked to testify at the meeting.

Clerk Russomanno, sample ballots will go out one week before just like every other election. The location to vote will also be the same.

Councilmember Joshi said it has been brought to our attention that meeting has been changed to October 2, 2019.

Councilmember Diehl, read the list of people who were asked to testify, Ceasar Swarez, Jerry Shi and Shariq Ahmad.

Councilmember Joshi asked before making any comments please remember we have had perhaps emotional or passionate meeting before all he would ask if everyone to be respectful when someone is talking remember this is a place where public policies are made to impact everyone.

Tony Patel, 1 Marcols Court, Sam Khan has put a bad speech in our community. He is a member of the Planning Board, he requests of the Mayor and this Council as soon as possible he be removed from the Planning Board, by Friday. Whatever you do my entire Indian Community is against him. He doesn't belong to our town. Mayor has to fire him by Friday and he cannot get a government position in the entire state. His entire community is here tonight. The word he used is against all community.

Aziz Nazir, Manchester Court, Piscataway he is a former member of the School Board. He represents all community, white, black, brown, Jewish, Hindu, everybody. I was supported by this community. The word jihad work is misunderstood this means struggle to be according to teaching the prophets. We are here to keep the community untied. We are American, a diverse community. We cannot afford hate. We hope to stay united and respect for everybody.

Anthony DeMorin, 15 Rodak Circle, he doesn't know why a Piscataway Board of Education member should speak here. He asked why isn't Mr.Khan here to explain his remarks? He thanked Councilmembers Sendelsky, Joshi and Diehl for speaking out on the Board President. He has been pushing the Board of Education President to work with the Mayor. The way he treats people who disagree with him.

Hamat Pandya, 30 Kearny Avenue, he would like this council to watch the video of Sam Khan speech. The way the word was used it was against India and Indians.

The crowd in the council chambers was out of hand.

Council Vice President Patil, explained if this outrage continues he will adjourn this meeting.

Linda Macari, 45 Stony Road, this is her first time speaking at a meeting. I come here as a resident of Edison, New Jersey and United State of America. I am grateful I live in a community made up of all kinds of people and people who practice different religions. I have met Sam Khan as a person she has seen this gentlemen work hard on behalf of all the residents and citizens of Edison. I am glad that he is currently serving on the Planning Board.

Dr.Reverend Macari of 45 Stony Road, that was my brilliant Harvard Educated Wife. I for many years have been personally invited by Sam Khan to the various Interfaith socials and have met a lot of people from all over the world and have been on Asia TV. I had the privilege to pray for many countries. I consider Sam a good friend I did not see the video so I am not competent to speak on that. However I am competent to speak on this, my background is Italian American Jewish Middle Eastern when my families came here a century ago we were told to send them back. We have a President of the United States every single person of color he wants out of this country. I want us to speak as one voice. Say to everyone here we are Americans first we have an opportunity next year to change the direction of the United State of America. He reiterated my families came here they were told we don't belong. Your children need to see a positive voice please leave the politics over there. The white nationalist want to see us divided.

There were several members of the community and outside our Township both speaking out against Mr. Khan and speaking on his behalf.

Bimal Joshi, 11 Mytle Street, today we find out when we saw the video where Sam Khan talked about jihad means struggle and fight amongst the enemies of Islam.

Mahmood Alam, 5 East Drive, we are all American Citizens to promote peace. We should respect free speech.

Cristo, 14 Fox Road, regarding the white church on Woodbridge Avenue we should have a dedication for George Washington some of the troops are buried there.

Bob Spiegel, Tyler Road, Edison Wet Lands Association, our work has improved the lives of Edison residents, and Central Jersey and the planet. Some of our work like the Dog Park we gave the township 500,000 of Grant money, boat basin, save dismal swamp area to preserve the largest wet lands. These things enhance our environment. We are under attack on our textile bins. He feels the organization is being harassed by the town.

Councilmember Diehl we have hears different interpretations on what Sam Khan said. I think we should have Sam speak and explain.

Sam Khan, 7 Lambert Avenue, he wanted to clarify we are all here today on just one word jihad, there are so many meaning of jihad if it really hurts you I am sorry. Sam is always bringing the community together. He is the Founder of South Asian Community Organization (SACO). The second meaning of jihad is struggle against sin. I am face of peace and love in the community. I beg you to stop this hate in this room. I made a mistake using that word, I still love everyone please come together as a community. Why did we all come to America? I have a right here freedom of speech because I live in America. I came to this country with nothing. Once again forgive people, if you forgive you will feel good inside.

Richard Brescher, on the sewer I see you have an appointment for a Director position for four year term for the Sewer and Water. We have some Sewers that are metered in our town and some that are not. We receive some compensation from the Sewer Meters. We should get an actuate reading from our neighbors who are pumping into our town, that could help pay off the bonds so tax payers don't have to pay anything. He has heard a lot of the Board of Education not wanting to talk to the town. He had send an email back in April 19th he requested a meeting to Bob Diehl. He asked Ms. Ruane to have IT check to see it was received.

Council Vice President Patil told Mr. Brescher to send the email to the Clerk she will make sure Councilmembers receive the correspondence.

Ms Ruane explained we did not change the ordinance all directors run with the term of the mayor. She will have IT check on the email.

Jerry Shine, 18 Winthrop Road, he is here to remind everyone about the special election on September 10th. Please vote yes to keep in hands of residents.

Lawrence Lebroc, 5 Brinda Court, President of Edison Jets for six years and is a partner one of the largest minority law firms in the state. The Mayor had appointed Mike Campbell has the Youth Outreach Coordinator. He started a new organization called Wolf Pack actively recruited black athletes and called the Edison Jets and myself racist because we didn't have any black coaches. He also came to an executive board meeting and called us racist. The problem we have with Mike Campbell he is appointed by the Mayor and he has emails where he is soliciting funds from organization for the Wolf Pack which competes with Edison Jets. We are not allowed to use the kitchen at Edison High School however Mike Campbell is allowed to use. Their players are more than fifty percent non -residents of Edison. We offered them to become one organization to unify Edison. They said no. He filed a cease and desist order against Mike Campbell.

Councilmember Joshi, asked Mr.Lebroc if he could you send the council the reason why the Jets cannot use the fields at Edison High School. Also please send us proof that showing fifty percent of Wolf Pack is not from Edison. He appreciates you coming out he is concerned we are spending recreation dollars if more than of the team is not from Edison.

Steve Negal, 19 Back Drive, his family moved here fifty years ago today. I have stayed in Edison because the quality of the community and education of the people who live here. We decided our son should go to a public school because he will have to work in a global economy. I am happy to say my sons friends were Hindu, Muslim, Egyptian, Jewish everything. One of the great things about Edison we shouldn't care what people are but who people are. As I stand here today, we should respect each other and work together and unit our community for we are the greatest municipality in the land lets work together to build our community and put aside who we are not what.

Vasant Naik, 2041 Oak Tree Road, thanks to Sam Khan he is a good friend to us, he made a small mistake. He hopes in the future no one would speak jihad. Our dear town we are all brothers and sisters.

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Sendelsky and duly carried.

Having no further business to discuss, on a motion made by Councilmember Lombardi seconded by Councilmember Diehl, the meeting was adjourned at 10:00 p.m.

Ajay Patil
Council Vice President

Cheryl Russomanno, RMC
Municipal Clerk