

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

September 14, 2016

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, September 14, 2016. The meeting was called to order at 7:01 p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

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

Councilmember Gomez entered at 7:05pm.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliott, Recreation Director Halliwell, Police Deputy Chief Mieczkowski, Battalion Fire Chief Boland 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 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl , seconded by Councilmember Shah, and duly carried, the Minutes of the Closed Session of June 20,2016 and August 22, 2016, and Worksession Meeting of August 22, 2016 and Regular Meeting of August 24, 2016 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Lombardi reminded everyone to please make note that September 26th Worksession is cancelled and September 28th meeting is combined to start at 6:30pm. Our annual POW/MIA service is Friday, September 16, 2016 at 12:20 at the Memorial on Municipal Blvd., circle. Fall Family Day is on September 24, 2016 on Amboy Avenue. Our condolences go out to the family of Robert S. Maurer one of our Ethic Board Members.

ADMINISTRATIVE AGENDA FROM MAYOR THOMAS LANKEY:

September 8, 2016

Ms. Cheryl Russomanno
Municipal Clerk
100 Municipal Blvd.
Edison, NJ 08817

Dear Ms. Russomanno:

Please be advised that I hereby appoint Sally Yabra, 102 Gracey Street, Edison, New Jersey , to serve on the Environmental Commission for a term of three years. Ms. Yabra's term will expire on December 31, 2018.

Thank you.

/s/ Thomas Lankey
Mayor

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on August 24, 2016 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1937-2016 ORDINANCE AMENDING CHAPTER XI, GENERAL LICENSING AND BUSINESS REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EDISON AS AMENDED AND SUPPLEMENTED BY ADDING NEW SECTION 33, TO REGULATE TRANSPORTATION NETWORK COMPANIES, TRANSPORTATION NETWORK COMPANY DRIVERS AND TRANSPORTATION NETWORK

(The above Ordinance O.1937-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1937-2016.

Hearing no further comments, on a motion made by Councilmember Sendelsky seconded by Councilmember Shah and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinance, which was introduced by Title on August 24, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1938-2016 ORDINANCE AMENDING THE TOWNSHIP CODE TO MAINTAIN UNIFORMITY REGARDING THE GRANT OF WAIVERS REGARDING SIDEWALK INSTALLATION AND THE GENERAL POWERS OF THE TOWNSHIP PLANNING BOARD AND TOWNSHIP ZONING BOARD OF ADJUSTMENT.

(The above Ordinance O.1938-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1938-2016

Walter Stochel, 2118 Oak Tree Road, Open Space committee supports this Ordinance it benefits the residents and opens space to start to make Edison a Walking Community. Our first step should be to put sidewalks by the schools.

Bruce Diamond, 74 Calvert Ave., West, asked for clarification, no waivers will be granted within two miles of school zone.

Mr. Northgrave replied no waiver will be granted.

Council President Lombardi added if it is over the two miles it is up to the board.

Councilmember Sendelsky strongly supports this ordinance and being on the board they have not granted any waivers, safety for children comes first.

Hearing no further comments, on a motion made by Councilmember Sendelsky, seconded by Councilmember Gomez and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Gomez, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

O.1940-2016 ORDINANCE AMENDING THE TOWNSHIP CODE TO MAINTAIN UNIFORMITY REGARDING THE DRUG-FREE SCHOOL ZONE MAP AND THE TOWNSHIP'S NEED TO PROVIDE A REPRODUCIBLE COPY OF SAME TO THE MIDDLESEX COUNTY PROSECUTOR'S OFFICE.

(The above Ordinance O.1940-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1940-2016

Hearing no further comments, on a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

O.1943-2016 ORDINANCE AMENDING THE TOWNSHIP CODE, CHAPTER 15, PROPERTY MAINTENANCE, BY ADDITIONAL DEFINITIONS OF TERMS AND PENALTIES, AND A NEW SECTION 15-3 ENTITLED "VACANT AND ABANDONED PROPERTIES," PROVIDING FOR REGISTRATION OF VACANT AND ABANDONED PROPERTIES BY OWNERS AND/OR CREDITORS.

(The above Ordinance O.1943-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1943-2016

Susan Izzo, 36 Merker Drive, regarding 15 Merker Drive, it has been vacant for two years, the house is falling apart. She and neighbors have made numerous complaints.

Council Presidents Lombardi explained this Ordinance is for enforcement. He will have the Director to look into

Mr. Elliott, said he has been dealing with this property exterior maintenance, he will provide the council with an update.

Fred Wolke, 10 Peake Road, it's about time thank you. He asked if there are fines if they don't comply.

Mr. Northgrave read the section in the Ordinance regarding fines. However they must come to court and the court sets the fines. The fines range from \$250 to \$1,000.

Esther Nemitz, 162B Fay Street, most of items referred to public officer, some to the Township Clerk why do they register with the Clerk.

Mr. Northgrave explained because the Clerk's office is the main keeper of records and they disperse to the proper departments, no different than an OPRA request.

Hearing no further comments, on a motion made by Councilmember Diehl, seconded by Councilmember Shah and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Shah, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR SEPTEMBER 28, 2016.

The following Ordinances were introduced by title:

O.1944-2016 ORDINANCE AUTHORIZING EXCHANGE OF TOWNSHIP FIRE EQUIPMENT TO THE MIDDLESEX COUNTY DEPARTMENT OF PUBLIC SAFETY AND HEALTH IN EXCHANGE FOR A SIX THOUSAND DOLLAR (\$6,000.00) TRAINING CLASS CREDIT.

On a motion made by Councilmember Diehl, 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 28, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.622-092016 through R.654-092016.

John Hibell, 114 Howard Avenue. Resolution R.648-092016 the purchasing of lights for new vehicles, what happened to the old vehicles.

Council President Lombardi said they were very old.

Mr. Hibell asked to keep the First Aid Squad in mind when they are getting rid of old vehicles.

Ms. Ruane replied please send me an email.

Mr. Hibell thanked the council for Resolution R.649-092016 .

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

Councilmember Gomez asked to pull Resolution R.646-092016 from the Consent Agenda for separate vote.

Council President Lombardi also asked to pull Resolution R.646-092016 due to a conflict.

The following Resolutions R.622-092016 through R.645-2016 and R.647-092016 through R.654-092016 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.622-092016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING SEPTEMBER 8, 2016.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through September 8, 2016.

FUND	AMOUNT
Current	\$8,789,372.57
Affordable Housing	78,993.11
Capital	27,023.43
Cash Performance	450,985.19
CDBG	0.00
Developers Escrow	0.00
Dog (Animal Control)	1,273.58
Federal Forfeited	6,053.71
Grant Funds	10,082.82
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	96,023.62
Sanitation Fund	99,558.10
Sewer Utility	2,452,449.55
Tax Sale Redemption	264,069.00
Tree Fund	0.00
Tree Planting	1,350.00
Trust	726,451.80
TOTAL	\$13,003,686.48

/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.623-092016

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 **\$132,290.97**.

RESOLUTION R.625-092016

Authorizing the refund of sewer charge overpayments to certain property owners in the Township

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2016**; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the property owners are entitled to refunds as provided for below; 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, as follows:

1. The aforementioned Recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the appropriate official of the Township to draw and issue checks to the person(s) in the amounts provided for below, in satisfaction of sewer charge overpayments:

Property Owner	ALEVIZATOS, GEORGE
Property Location:	190 JACKSON AVE
Block/Lot/Qualifier	726/30
Sewer Account:	18550-0
Amount to be Refunded:	\$ 162.80
GRAND TOTAL:	\$ 162.80

3. This Resolution shall take effect immediately.

RESOLUTION R.624-092016

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 **\$15,155.69**.

RESOLUTION R.626-092016

WHEREAS, the Township of Edison and USW Local 1426 (Nurses) are parties to a collective negotiations agreement covering the period January 1, 2011 to December 31, 2014, which has expired; and

WHEREAS, the Township and USW Local 1426 (Nurses) have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and USW Local 1426 (Nurses) have reached an understanding on terms and conditions for a new agreement subject to ratification by USW Local 1426 (Nurses) and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of USW Local 1426 (Nurses).

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to USW Local 1426 (Nurses) for the period January 1, 2015 through December 31, 2018.

RESOLUTION R.627-092016

WHEREAS, the Township of Edison and OPEIU Local 32 (Crossing Guards) are parties to a collective negotiations agreement covering the period July 1, 2010 thru June 30, 2015, which has expired; and

WHEREAS, the Township and OPEIU Local 32 (Crossing Guards) have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and OPEIU Local 32 (Crossing Guards) have reached an understanding on terms and conditions for a new agreement subject to ratification by OPEIU Local 32 (Crossing Guards) and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of OPEIU Local 32 (Crossing Guards).

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to OPEIU Local 32 (Crossing Guards) for the period July 1, 2015 through June 30, 2018.

RESOLUTION R.628-092016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO PRINCETON ADVERTISING SPECIALTIES INC. FOR THE FURNISHING OF PROMOTIONAL ITEMS, TROPHIES AND AWARDS

WHEREAS, bids were received by the Township of Edison on July 6, 2016 for Public Bid No. 16-01-18-Promotional Items, Trophies and Awards; and

WHEREAS, PRINCETON ADVERTISING SPECIALTIES, INC., P.O. Box 729, East Brunswick, NJ 08816 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$4,000.00, 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 PRINCETON ADVERTISING SPECIALTIES, INC., P.O. Box 729, East Brunswick, NJ 08816, for Promotional Items, Trophies and Awards 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 \$4,000.00 and any other necessary documents, with PRINCETON ADVERTISING SPECIALTIES, INC.

RESOLUTION R.629-092016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO DREW & ROGERS, INC. FOR THE FURNISHING OF PROMOTIONAL ITEMS, TROPHIES AND AWARDS

WHEREAS, bids were received by the Township of Edison on July 6, 2016 for Public Bid No. 16-01-18-Promotional Items, Trophies and Awards; and

WHEREAS, DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$6,000.00, 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 DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004, for Promotional Items, Trophies and Awards 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 \$6,000.00 and any other necessary documents, with DREW & ROGERS, INC.

RESOLUTION R.630-092016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT EXPRESS IMPRINTABLES, INC. FOR THE FURNISHING OF PROMOTIONAL ITEMS, TROPHIES AND AWARDS

WHEREAS, bids were received by the Township of Edison on July 6, 2016 for Public Bid No. 16-01-18-Promotional Items, Trophies and Awards; and

WHEREAS, EXPRESS IMPRINTABLES, INC., 36 Sheffield Ave., Monroe, NJ 08831 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$32,000.00, 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 EXPRESS IMPRINTABLES, INC., 36 Sheffield Ave., Monroe, NJ 08831, for Promotional Items, Trophies and Awards 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 \$32,000.00 and any other necessary documents, with EXPRESS IMPRINTABLES, INC.

RESOLUTION R.631-092016

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO ADORAMA FOR THE CAMERA EQUIPMENT FOR EDISON TV

WHEREAS, quotes were solicited by the Township of Edison for camera equipment for Edison TV; and

WHEREAS, ADORAMA, INC., 42 West 18th Street, New York, NY 10011 submitted the lowest quote in the total amount of \$8,705.27; and

WHEREAS, funds in the amount of \$8,705.27 have been certified to be available in the Acquisition of Edison TV Equipment Account, number C-04-14-1872-100-006; and

WHEREAS, although quotes were received, 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, ADORAMA, INC., has 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 ADORAMA, INC. 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 \$8,705.27 by ADORAMA, INC., 42 West 18th Street, New York, NY 10011 for camera equipment 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 \$8,705.27 and any other necessary documents, with ADORAMA, INC.

3. 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 **\$8,705.27** are available for the above contract in Account No. **C-04-14-1872-100-006**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.632-092016

WHEREAS, the Township of Edison and Policemen’s Benevolent Association, Local No. 75, Inc. are parties to a collective negotiations agreement covering the period January 1, 2014 to December 31, 2017, which has expired; and

WHEREAS, the Township and Policemen’s Benevolent Association, Local No. 75 have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and Policemen’s Benevolent Association, Local No.75 have reached an understanding on terms and conditions for a new agreement subject to ratification by Policemen’s Benevolent Association, Local No. 75 and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of the Policemen’s Benevolent Association, Local No. 75.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to Policemen’s Benevolent Association, Local No. 75 for the period January 1, 2014 through December 31, 2017.

RESOLUTION R.633-092016

WHEREAS, the Township of Edison and Superior Officers’ Association Affiliated with the Edison Township Policemen’s Benevolent Association, Local #75, Inc. are parties to a collective negotiations agreement covering the period January 1, 2009 to December 31, 2013, which has expired; and

WHEREAS, the Township and Edison and Superior Officers' Association Affiliated with the Edison Township Policemen's Benevolent Association, Local #75 have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and Edison and Superior Officers' Association Affiliated with the Edison Township Policemen's Benevolent Association, Local #75 have reached an understanding on terms and conditions for a new agreement subject to ratification by Edison and Superior Officers' Association Affiliated with the Edison Township Policemen's Benevolent Association, Local #75 and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of the Edison and Superior Officers' Association Affiliated with the Edison Township Policemen's Benevolent Association, Local #75.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to Edison and Superior Officers' Association Affiliated with the Edison Township Policemen's Benevolent Association, Local #75 for the period January 1, 2014 through December 31, 2017.

RESOLUTION R.634-092016

**FORM OF RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATION
PER NJSA 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$5,000.00 from State Of New Jersey and wishes to amend its TY 2016 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget for the TY 2016 in the amount of \$5,000.00 which is now available as a revenue under:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

2016 Click it or Ticket Grant **\$ 5,000.00**

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations excluded from "CAPS": Public & Private Programs Off-Set by Revenues:

2016 Click it or Ticket Grant **\$ 5,000.00**

BE IT FURTHER RESOLVED, that the Chief Financial Officer forward one certified copy of this resolution to the Director of Local Government Services.

RESOLUTION R.635-092016

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 three 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 Investors Bank Foundation has grant funds available, through its FY17 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, 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 for a maximum request of \$5,000.00 from the Investors Bank Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Investors Bank Foundation as described in its application for said funds and in compliance with all applicable Investors Bank Foundation, Municipal, Middlesex County, New Jersey and United States 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 Public Meeting on the evening of Wednesday, September 14, 2016.

RESOLUTION R.636-092016

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 three (23) 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 Wal-Mart Foundation has grant funds available, through its Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations and agencies of the communities Wal-Mart and Sam's Club serve, for which it continues to solicit on-line applications for grant funding; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$2,500.00 from the Wal-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its 2017 EMA/BRIDGES Teen Arts Program and 2017 Youth Summer Outreach Program; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for or receive grant funding from the Wal-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Wal-Mart 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, public meeting on the evening of Wednesday, September 14, 2016.

RESOLUTION R.637-092016

WHEREAS, The Edison Department of Health and Human Services (EDHHS), 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 three (23) 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 H-Mart Foundation has grant funds available, through its Local Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations and agencies of the communities H-Mart stores serve, for which it continues to solicit on-line and hardcopy requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$10,000.00 from the H-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its EMA/BRIDGES Teen Arts Program and Summer Program; 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 H-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the H-Mart 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, public meeting on the evening of Wednesday, September 14, 2016.

RESOLUTION R.638-092016

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 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 conduct and activities; and

WHEREAS, the Middlesex County Cultural and Heritage Commission (MCCHC) has grant funds available, through its 2017 Arts Grant Program (AGP) 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 MCCHC AGP 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 \$10,000.00 from the Middlesex County Cultural and Heritage Commission Arts Grant Program, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, a 50% Cash Match and a 50% In-Kind Match are required to submit an application to and receive an award from the Middlesex County Cultural and Heritage Commission Arts Grant Program; and

WHEREAS, the EDHHS EMA/BRIDGES Teen Arts Program has successfully participated in the MCCHC AGP in the past; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Middlesex County Arts Grant Program 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, at a regularly-scheduled Public Meeting on the evening of Wednesday, September 14, 2016.

RESOLUTION R.639-092016

WHEREAS, the Edison Township Environmental Commission (ETEC) developed and submitted applications to the 2016 NJDEP Recreation Trails Program (2016 NJDEP RTP) and Middlesex County Open Space Trust Fund (MCOSTF) for grant funds to support ETEC Dudash Park Middlesex Greenway Access Enhancement Project; and

WHEREAS, ETEC Dudash Park Middlesex Greenway Access Enhancement Project proposes to plan, design, construct and establish the only paved, designated ADA parking lot on the entire 3.5 miles of the Middlesex Greenway; and

WHEREAS, the **Edison Greenway Group, Inc.** has offered to provide up to **\$12,000.00** of grant funds to address any other additional items and/or issues that may arise in relation to the ETEC Dudash Park Middlesex Greenway Access Enhancement Project, as well as general project support; and

WHEREAS, any grant funds provided by **Edison Greenway Group, Inc.** will not require any in-kind or cash match; and

WHEREAS, the Edison Township Environmental Commission (ETEC) will utilize all grant funds awarded to it by the Edison Greenway Group, Inc. 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 the **Edison Greenway Group, Inc.** grant application by ETEC, at a regularly-scheduled, work session on **Monday, September 12, 2016** and subsequent public meeting on the evening of **Wednesday, September 14, 2016**.

RESOLUTION R.640-092016

Explanation: This Resolution authorizes the settlement of litigation with the Centre Place Homeowners Association, with respect to certain code enforcement fees and fire subcode violation issues.

WHEREAS, in 2014, the Township of Edison initiated certain Code enforcement efforts against the Centre Place Homeowners Association (the "Association" or "Centre Place") with respect to certain fire subcode violations found at Centre Place, principally, fire suppression system concerns; and

WHEREAS, in connection with those enforcement efforts, the Township obtained a ruling from the Middlesex County Construction Code Board of Appeals (the "UCC Board") on February 23, 2016, which imposed a fine in the amount of \$13,800.00 upon the Association for failure to timely remedy certain fire subcode violations (although the UCC Board did also recognize that said violations were ultimately remediated to the Township Fire Official's satisfaction); and

WHEREAS, the Association thereafter appealed the UCC Board's determination to the Superior Court of New Jersey, in an action captioned *Centre Place Homeowners Association v. Township of Edison, et al.*, Docket No. MID-L-1786-16 (the "Litigation"); and

WHEREAS, following the filing of the Litigation and the filing of the Township's Answer & Affirmative Defenses, but before a Pre-Trial Conference was held, the Parties began to discuss possible resolution of the Litigation; and

WHEREAS, following continued dialogue, the Parties have agreed, subject to approval of the respective Parties, to resolve the Litigation in consideration of the Association's payment to the Township of the reduced amount of \$6,500.00 pursuant to the UCC Board's February 2016 ruling; and

WHEREAS, the Township, in consideration of the forgoing and the attendant cost and expense of continuing the Litigation, has decided to settle the Litigation on the terms set forth herein, and as memorialized in the attached Settlement and Release.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The settlement of the Litigation for the sum of \$6,500.00, be and hereby is, approved, upon receipt of such payment from the Association to the Township.
3. The appropriate Township personnel be and are hereby authorized and directed to execute the Settlement and Release appended hereto, in substantially the form provided and approved by legal counsel, along with any other documents reasonably necessary to effectuate the settlement of the Litigation.
4. This Resolution shall take effect immediately.

RESOLUTION R.641-092016

EXPLANATION: Resolution authorizing payment for services provided by the Special Court Master in the Township's Affordable Housing Declaratory Judgment Action.

WHEREAS, the Township of Edison filed a Declaratory Judgment Action in the Superior Court of New Jersey Middlesex County on July 7, 2015 in furtherance of the Supreme Court's March 10, 2015 decision captioned, In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Litigation"); and

WHEREAS, on July 21, 2015 the Honorable Douglas K. Wolfson, J.S.C. entered an Order appointing Elizabeth C. McKenzie, A.I.C.P., P.P., Special Court Master in the Litigation (the "Court Order"); and

WHEREAS, the Court Order sets forth the role of the Special Court Master, which is to assist the parties and the Court in the Litigation, and the Court Order also provides that the Township shall be responsible to pay the reasonable fees charged by the Special Court Master in the Litigation for her services; and

WHEREAS, the costs of the Special Court Master will exceed \$17,500, and therefore there is a need to take formal action to authorize such payments to the Special Court Master for these services as ordered by the Court; and

WHEREAS, the costs associated with the Special Court Master are expected to not exceed in total, \$30,000 and will be charged to the Township's Affordable Housing Trust Fund in light of the nature of the services that are being provided.

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

1. The Township hereby authorizes payments to be made to the Special Court Master in accordance with the services provided by the Master in the Litigation, as set forth and provided in the July 21, 2015 Order of Judge Wolfson, and in a total amount not to exceed \$30,000.
2. The payments to the Special Court Master shall be charged to the Township's Affordable Housing Trust Fund.
3. This Resolution shall take effect immediately.

RESOLUTION R.642-092016

EXPLANATION: This Resolution Approves the Township's Updated Affordable Housing Spending Plan

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing (“COAH”) to the New Jersey Superior Courts, and established a transitional process for municipalities, like the Township of Edison, to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans (“HEFSP”) as being constitutionally compliant and to seek the judicial equivalent of substantive certification, which has been deemed by the Court to be a Judgment of Compliance and Repose and accompanying protection as provided under the Fair Housing Act of 1985; and

WHEREAS, on July 7, 2015, in accordance with the Supreme Court's decision, the Township filed a declaratory judgment action that is captioned, In the Matter of the Application of the Township of Edison, a municipal Corporation of the State of New Jersey, Docket No. MID-L-3944-15 (the “Litigation”); and

WHEREAS, in that filing, the Township also sought a determination from the Superior Court regarding the Township’s future use and disposition of the Township’s Affordable Housing Trust Funds, as directed by the New Jersey Appellate Division in the case, In Re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations, Docket Nos. A-5257-11T4 and A-0122-13T3; and

WHEREAS, by Resolution approved on August 24, 2016, the Township approved an Amended Settlement Agreement with the Fair Share Housing Center and the Intervenors/Defendants, in the case to settle the Litigation, and endorsed the Township’s 2016 Housing Element and Fair Share Plan (the “HEFSP”); and

WHEREAS, as part of the Amended Settlement, the Township’s Planning Consultant prepared an Updated Spending Plan to provide an updated plan for the collection and distribution of development fee revenues to be used to support elements of the Township’s HEFSP; and

WHEREAS, the Governing Body of the Township of Edison desires to approve the Updated Spending Plan and submit same to the New Jersey Superior Court for approval as part of the Township’s submission for Final Judgment of Compliance and Repose in the pending Litigation.

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

Section 1. The Council hereby approves the Update Spending Plan and authorizes its submission, to the Court for approval at the October 7, 2016 Compliance Hearing, as part of the Township’s submission for a Judgment of Compliance and Repose by the Court.

Section 2. The Mayor, Township Administrator, and Township Clerk, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

Section 3. This Resolution shall take effect immediately.

RESOLUTION R.643-092016

EXPLANATION: A Resolution rescinding Ordinance O.1939-2016 entitled “Ordinance Amending Chapter 37 of the Township of Edison Code of General Ordinances to Amend the G-B General Business District to Include a Convenience Store with Fuel Station as a Permitted Use” as first read at the Township of Edison Municipal Council Meeting of August 24, 2016 and rescinding Resolution R.583-082016 referring Ordinance O. 1939-2016 to the Township of Edison Planning Board for review and recommendation.

WHEREAS, pursuant to the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*, the “**MLUL**”), specifically *N.J.S.A. 40:55D-65*, municipalities are authorized to enact zoning regulations by the adoption of ordinances; and

WHEREAS, pursuant to the MLUL, specifically *N.J.S.A. 40:55D-62*, municipalities are authorized to adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, on August 24, 2016, the Municipal Council adopted R.583-082016 which instructed the Planning Board to prepare a report of its recommendations to the Municipal Council with regard to the proposed ordinance O.1939-2016 amending the G-B General Business District; and

WHEREAS, the Municipal Council desires to rescind R.583-082016 in its entirety, including the instruction that the Planning Board prepare a report of its recommendations to the Municipal Council with regard to the proposed ordinance O.1939-2016 amending the G-B General Business District.

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 Municipal Council hereby rescinds R.583-082016. The Planning Board is no longer instructed prepare a report of its recommendations to the Municipal Council with regard to the proposed ordinance O.1939-2016 amending the G-B General Business District.

Section 3. The Township Clerk shall forward a copy of this Resolution to the Planning Board. A copy of this Resolution shall be maintained in the offices of the Township Clerk for public inspection.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.644-092016

EXPLANATION: A resolution authorizing the discharge of mortgage pertaining to assistance made available under the Township’s Community Development Block Grant Program regarding Block 84, Lot 66 (aka 189 Suttons Lane).

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

WHEREAS, under the powers vested in the Township by United States Department of Housing and Urban Development, Community Development Block Grant Program, the Township entered into a mortgage concerning Block 84, Lot 66 on the Township’s Tax Maps (aka 189 Suttons Lane) (the “Property”) dated August 14, 2006 (the “Mortgage”); and

WHEREAS, the municipal council of the Township (the “Municipal Council”) hereby directs and authorizes that the Mayor and Township Clerk be authorized to execute a Discharge of Mortgage (attached hereto as Exhibit A) for the Property which was made to secure the Mortgagor’s obligations pursuant to a certain Mortgage Note recorded in the Middlesex County Clerk’s Office on July 10, 2008; and

WHEREAS, upon execution of the Discharge of Mortgage the Municipal Council directs that the Discharge of Mortgage be filed with the Middlesex County Clerk’s Office for recording; and

WHEREAS, the Discharge of Mortgage acknowledges that the Mortgage has been paid in full or otherwise satisfied and discharged and that the Mortgage is now cancelled and void.

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

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

Section 2. The Municipal Council hereby authorizes and directs the Mayor to execute a Discharge of Mortgage (attached hereto as Exhibit A) for the Property which was made to secure the Mortgagor’s obligations pursuant to a certain Mortgage Note recorded in the Middlesex County Clerk’s Office on July 10, 2008 with regard to Block 84, Lot 66 on the Township’s Tax Maps (aka 189 Suttons Lane) dated August 14, 2006.

Section 3. Upon the execution of the Discharge of Mortgage, the Discharge of Mortgage shall be filed with the Middlesex County Clerk’s Office.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.645-092016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Rich Simpson, 8 Honeysuckle Lane, Edison NJ 08820 Tree Permit #13-049 Account # **7763090906**

WHEREAS, on June 16, 2014, Rich Simpson posted a Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7763090906 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #13-049.

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$900.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$900.00 Herein above mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$900.00 on deposit in Account #7763090906 to Rich Simpson 8 Honeysuckle Lane, Edison, NJ 08820.

RESOLUTION R.647-092016

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Fireworks Extravaganza Inc. to discharge fireworks for the Dushahra Festival at Lake Papaanni in Edison, New Jersey scheduled for October 1, 2016 with a rain date of October 8, 2016.

WHEREAS, Fireworks Extravaganza Inc. has applied to the Township of Edison for a permit to discharge fireworks on October 1, 2016 with a rain date of October 8, 2016 for the Dushahra Festival taking place at Lake Papaanni; and

WHEREAS, Fireworks Extravaganza Inc. has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

WHEREAS, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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

1. The Township Council does hereby grant permission for Fireworks Extravaganza Inc. to conduct a fireworks display on the evening of October 1, 2016 at approximately 8:30 p.m. on the grounds of the Lake Papaanni in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Fireworks Extravaganza Inc. posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Fireworks Extravaganza Inc. post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit. **4.** 1 pumper must be on Stand – By for the purpose of suppression, prior to the start of the show.
3. The Division of Fire and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirements of law.
4. The Township clerk of Edison Township is directed to forward a copy of this Resolution to, Fireworks Extravaganza Inc., the Fire Prevention Bureau, the Division of Fire, and Division of Police.

RESOLUTION R.648-092016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EAST COAST EMERGENCY LIGHTING TO OUTFIT THREE DIVISION OF FIRE 2016 CHEVY TAHOE VEHICLES

WHEREAS, there is a need to outfit three (3) Division of Fire 2016 Chevy Tahoe vehicles; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Drive, Millstone, NJ 08535, has been awarded State Contract T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES and under this contract the vehicles shall be outfitted under the state contracts and under quote as listed below; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., has been awarded State Contract 81336 under T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES for the emergency lighting in the amount of \$14,152.32; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., has been awarded State Contract 81327 under T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES for the push bumpers in the amount of \$1,971.00; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., has been awarded State Contract 81338 under T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES for installation for all of the above in the amount of \$5,625.00; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., submitted the quote for HAVIS brand in the amount of \$3,950.52; 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, funds in the amount of \$25,698.84 have been certified to be available in the Fire Fighting – Purchase of Vehicles Account, Number 6-01-25-0265-001-051; 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 **\$25,698.84** and any other necessary documents, with **EAST COAST EMERGENCY LIGHTING, INC.**, 200 Meco Drive, Millstone, NJ 08535, 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 Numbers 81336, 81327, and 81338 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$25,698.84** are available in Account Number 6-01-25-0265-001-051.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.649-092016

RESOLUTION AUTHORIZING CONTRIBUTION OF FIRST AID SQUAD FUNDS TO RARITAN VALLEY REGIONAL EMERGENCY MEDICAL SERVICES, INC. FROM THE 2016 CALENDAR YEAR BUDGET IN AN AMOUNT NOT TO EXCEED \$105,000.00

WHEREAS, the Township of Edison budgeted \$105,000.00 in the calendar year 2016 budget and desires to distribute said funds to Raritan Valley Regional Emergency Medical Services, Inc., 848 New Dover Road, Edison, NJ 08820 for the volunteer first aid squad of the Township of Edison; and

WHEREAS, N.J.S.A. 40:5-2 authorizes municipalities to make such contributions; and

WHEREAS, upon receipt of these funds the volunteer first aid squad is responsible to comply with all federal, state and local statutes, ordinances and regulations as they would be with any other funds they receive; and

WHEREAS, funds in the amount of \$105,000.00 have been certified to be available in the Aid To Vol First Aid Squad Account, Number 6-01-25-0260-000-030; 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 in the County of Middlesex, New Jersey that the proper Township officials are hereby authorized to make the donation of \$105,000.00 as indicated herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$105,000.00 are available for the above expenditure in Account No. 6-01-25-0260-000-030.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.650-092016

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS TO VOLUNTEER FIRE COMPANIES FOR 2016

WHEREAS, it is the desire of the Township of Edison to appropriate funds for the direct use of the Volunteer Fire Departments located within the Township of Edison; and

WHEREAS, New Jersey State Statutes N.J.S.A. 40A:14-34, et. seq. authorizes said funding; and

WHEREAS, it is understood by the parties that the volunteer fire companies shall be responsible to comply with all Federal, State and Local restrictions and regulations regarding the use of said funds; and

WHEREAS, funds in the amount of \$40,000.00 have been certified to be available in the Aid to Volunteer Fire – Materials & Supplies Account, Number 6-01-25-0255-000-030; and

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

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that in accordance with N.J.S.A. 40A:14-34, et. seq., the following volunteer fire companies are hereby authorized to receive the following appropriations for 2016; and

- Raritan Engine Co.#1- \$10,000.00
- Raritan Engine Co.#2- \$10,000.00
- Edison Volunteer Fire Co. #1-\$10,000.00
- Oak Tree Volunteer Fire Co.- \$10,000.00

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount **\$40,000.00** are available for the above in Account No. **6-01-25-0255-000-030**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.651-092016

EXPLANATION: This resolution approves the internal development and submission of the Township of Edison Division of Fire's web-based, on-line application to the 2016 USDHS FEMA Assistance to Firefighter Grant (AFG) program, for grant funding of up to \$500,000.00, to obtain funds to facilitate the acquisition of up-to-date Extrication Equipment, Apparatus, Technology, Supplies and related items, for the protection, improved safety and effective performance of active Edison Division of Fire Firefighters, as well as of the public-at-large.

WHEREAS, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) has provided an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the 2016 Assistance to Firefighters Grant (AFG) program; and

WHEREAS, the 2016 USDHS FEMA AFG program provides grant funds to assist local Fire Fighter Companies to acquire Extrication Equipment, Apparatus, Technology, Supplies and related items to protect and assist Fire Fighters in local emergency, extrication, rescue and related hazardous activities, as well as the public-at-large; and

WHEREAS, the Township of Edison Division of Fire wishes to apply for grant funding for an amount not to exceed \$500,000.00, available from the 2016 USDHS FEMA AFG program; and

WHEREAS, the 2016 USDHS FEMA AFG program provides 90% in federal grant funds, with a requisite 10% local cost share to awardees, based upon the approved, total project narrative, budget and full application, completed and submitted by November 18, 2016.

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, according to current 2016 USDHS FEMA AFG regulations, at a regularly-scheduled Public Meeting, on Wednesday, September 14, 2016.

USDHS FEMA Assistance to Firefighters Grants

The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. The Federal Emergency Management Agency administers the grants in cooperation with the U.S. Fire Administration.

RESOLUTION R.652-092016

RESOLUTION AWARDDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES, INC. FOR THE PURCHASE OF THREE (3) CONCEALABLE BODY ARMOR VESTS FOR THE DIVISION OF POLICE

WHEREAS, there is a need for three (3) Concealable Body Armor Vests for the Division of Police; and

WHEREAS, LANIGAN ASSOCIATES, INC., 496 Shrewsbury Avenue, Tinton Falls, NJ 07701 has been awarded State Contract Number 81348 under T-0106 Police and Homeland Security Equipment and Supplies - Statewide; 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 maximum amount of the purchase shall not exceed \$2,865.00 (\$955.00 for each vest); and

WHEREAS, funds in the amount of \$2,865.00 have been certified to be available in the Bullet Proof Vest Partnership Grant Account, Number G-02-14-0240-716-000; 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 \$2,865.00, and any other necessary documents, with LANIGAN ASSOCIATES, INC. 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. 81348 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,865.00** are available for the above in Account No. **G-02-14-0240-716-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.653-092016

WHEREAS, the New Jersey State Constitution guarantees a “thorough and efficient” education to all New Jersey students, regardless of where they live; and

WHEREAS, the New Jersey School Funding Act of 2008 (SFRA) requires the State to provide funding to school districts based on the number of students enrolled in each district, with additional funding allocated for each student living in a low-income household; and

WHEREAS, the SFRA key concept that “the money follows the child” allows for equal opportunity for all the school children of New Jersey; and

WHEREAS, the State has failed to fully-fund or properly apply the SFRA since its adoption, including through the use of “adjustment aid” or “hold harmless aid”, which provides additional funds to districts who should have seen a decrease in funding from the State under the SFRA; and

WHEREAS, adjustment aid or “hold harmless” aid was not part of the SFRA and must be eliminated; and

WHEREAS, according to the latest data from the New Jersey Department of Community Affairs data, New Jerseyans on average paid \$8,353 in property taxes, while the national average is only \$2,127 according to the U.S. Census Bureau; and

WHEREAS, the property tax is the most regressive of all taxes, and penalizes middle class taxpayers most severely; and

WHEREAS, the high cost of property taxes has increased the out-migration of senior citizens, young millennials and others, negatively impacting the economic future of New Jersey; and

WHEREAS, the biggest driver of New Jersey’s highest-in-the-nation property taxes is the ineffective and unfair implementation of the school funding formula; and

WHEREAS, Governor Chris Christie has proposed a redistribution of state aid based on a new path that fundamentally provides equal funding for the education of each student; and

WHEREAS, State Senate President Stephen Sweeney has proposed a “Formula4Success” to revise the state aid funding formula so that all school districts shall be fully funded within the next five years; and

NOW, THEREFORE BE IT RESOLVED that the Edison Township Council hereby implores the Governor and the New Jersey State Legislature to collaborate in the reallocation of state aid to support the SFRA concept of “the money follows the child”, resulting in an equitable distribution of state aid dollars and adequacy for all school districts; and

BE IT FURTHER RESOLVED that the Edison Township Council and the constituents that it represents demand authentic property tax relief be delivered to tax-strapped families to reestablish economic competitiveness for New Jersey with other states.

1. The Township Clerk is hereby authorized to forward the original and certified copies of this Resolution to 18th Legislative District Senator Diegnan, and Assemblyman Karabinchak.
2. This Resolution shall take effect immediately.

RESOLUTION R.654-092016

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2016; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2016, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective August 14, 2016.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-005-006	Sondek, Inc. d/b/a Richies Sports Bar 52 Vineyard Road	Edison, 08817

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah, and Council President Lombardi

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.646-092016**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS SOFTBALL TEAMS FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

WHEREAS, the ordinance further states that a "Good Standing Refund" in the amount of \$150.00 shall be made payable to each softball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$2,100.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

WHEREAS, the below listed adult softball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>
JOHN M. GATTO, CHFC/CLU	STATE FARM
AUGUSTO ACABOU	JFK
JASON TUNE	COLONIA 7-11
SAL LAGRASSO	MAIN STREET BARBERSHOP
CAMBER PHARMACEUTICALS, INC.	CAMBER
THOMAS LANKEY	WHISPERING KNOLL
AUGUSTO ACABOU	JFK JAGUARS
BENJAMIN TORO	GREAT WHITES
BRIAN BALAZSE	SOFTBALLS DEEP
TJ SMOLTINO	SOUTH SLIDERS
TOM CASTLES	CLAM HAMMERS
CAMPBELL FREIGHTLINER LLC	EFD/CAMPBELL SUPPLY
AUM BAR & GRILL LLC/DBA: ELIXIR	SOUTH EDISON BASHERS
ROBERT BELLUSCIO	TNT AUTO PARTS

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

CERTIFICATION

I hereby certify that funds in the amount of \$2100.00 are available for the above teams in Account No.T-13-00-1000-000-048.

/s/ Nicholas C. Fargo
Chief Financial Officer

A motion was made by Councilmember Diehl, seconded by Councilmember Sendelsky, to adopt this Resolution.

AYES - Councilmembers, Coyle, Diehl, Patil, Sendelsky, and Shah

NAYS - None

ABSTAIN: Councilmember Gomez and Council President Lombardi

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue, West, how are we on the Open Space Audit.

Ms. Ruane said we should have within a couple of weeks.

Mr. Diamond asked, how are we progressing with the drainage situation on Calvert.

Mr. Kataryniak replied within the next week he will have someone to inspect.

Mr. Diamond asked if there is a restriction on variances for lots that come before the board knocking down one and putting up two.

Mr. Northgrave said we cannot legislate a variance, if they are denied they can take it to court.

Lois Wolke, 10 Peake Road, she shares Mr. Diamonds concerns on variances.

Walt Shneer, 108 Park Way, he commended the DPW workers for a great job in cutting the trees . He asked about the crack in the road.

Council President Lombardi asked the Engineer to put Park Way on the list to repair the road.

Esther Nemitz, 162B Fay Street, last Saturday the Art Exhibit at Heritage on Amboy Avenue, Gloria Dittman did a great job. Clara Barton is having a Block Party in October if you are interested to be added to our email mailing list let her know.

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 seconded by Councilmember the meeting was adjourned at 7:45 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk