

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
November 8, 2018**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:12pm by Council Vice President Sendelsky followed by the Pledge of Allegiance.

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

Councilmembers Coyle, Joshi and Patil were absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Inspector Spearneck, Township Engineer O'Brien, Police Captain Formica, 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 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES:

- a. No comments were made.

5. REPORTS FROM ALL COUNCIL COMMITTEES:

None

6. POINTS OF LIGHT:

Council Vice President Sendelsky announced the following on November 9, 2018 – Mayor Lankey & Chief Bryan at 2:00pm in Council Chambers will be doing Police Swearing Ceremony, November 11, 2018, Sunday, Veterans Day - Ceremony Schedule, Monday, November 12th. – Municipal Offices Will Be Closed For Veterans Day, November 18, 2018, Sunday, Household Hazardous Waste Drop off day from 8:00am to 2:00pm at Middlesex County College, Mill Road entrance, November 18, 2018, Oak Tree Presbyterian Church At 445 Plainfield Road – Peace Pole Dedication At 12:00noon. On November 22 , and 23, 2018 – Municipal Offices Will Be Closed For Thanksgiving. December 16, 2018 – Wreaths Across America Ceremony – at St. James Church, 2136 Woodbridge Ave. Honoring all veterans of the US Wars, living and deceased at 12Noon. Happy Diwali to all that celebrate.

7. FROM THE BUSINESS ADMINISTRATOR:

- a. and b. No comments were made.

8. FROM THE DEPARTMENT OF FINANCE:

- a. Councilmember Diehl, reported Councilmember Joshi sent an email requesting to hold operating expense for the Library, however none were submitted.

- b. through g. No comments were made.

9. FROM THE DEPARTMENT OF LAW:

- a. through h. No comments were made.

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

- a. and b. No comments were made.

11. FROM THE PUBLIC WORKS:

- a. through c. No comments were made.

12. FROM THE DEPARTMENT OF RECREATION;

- a. and b. No comments were made.

13. FROM THE CHIEF OF POLICE:

- a. No comments were made.

14. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Coyle was absent.

15. DISCUSSION ITEMS:

Council President Patil:

- a. Absent

Councilmember Coyle:

- a. Absent

Councilmember Diehl:

- a. Hazardous Waste at Middlesex County College, Sunday, November 18, 2018. He read the list of items to drop off this is a safe and efficient way to dispose of.
- b. Update on top golf

Mr. Northgrave, Top Golf had a delay in fabrication of the wall. They plan to start early part of December and completed by January.

- c. Homes behind South Heathcote work is being done on the railroad before 7am it is continuing to happen. He asked the Administration to send someone out to check on.
- d. He asked Mr. Northgrave how to pursue the raciest flyer.

Captain Formica, the Attorney General office is investigation.

Mr. Northgrave already sent a letter to the Attorney General office he hasn't heard anything. He will gather information and prepare a report for the council by December Meeting which will be discussed in closed session.

Councilmember Diehl reiterated we are not going to stop pursuing this. We will not forget about it.

Councilmember Gomez:

- a. He asked Mr. O'Brien where are we with the Paving Program.

Mr. O'Brien it's complete we will in the planning stages for spring of 2019 put out to bid.

Councilmember Joshi:

- a. Absent

Councilmember Lombardi:

- a. Oak Tree and Woodland Project started in August of 2017 it's still not done.

Mr. O'Brien said it should be before Thanksgiving.

- b. Intersection of Oak Tree and Grove work is being started next week. Residents should Download Nixle so you will receive all alerts and road closures for Edison.

Councilmember Sendelsky:

- a. He read Councilmember Joshi email regarding Library operating expenses until the board has a meeting.
- b. Councilmember Joshi also would like to do a Resolution of Recognition for the JP Stevens Girls Volleyball team who won the County Competition for the first time in 10 years.
- c. He thanked Mr. Elliot for the work completed on James and Grove.
- d. He asked for an update on the furnace at Minnie B. Veal gym.

Mr. O'Brien, we will have temporary heat in gym by December 1st. and working on a bid through purchasing.

- e. Lights under the Turnpike Bridge on Amboy Avenue.

Mr. O'Brien said he is working with DPW and the state and working to fix the short.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl, seconded by Councilmember Gomez and duly carried, the Minutes of the Regular Meeting of October 24, 2018 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council Vice President Sendelsky had no additional remarks, all said under Points of Light.

RESOLUTIONS OF RECOGNITION

The following Resolutions were read in it's entirely

RESOLUTION R.620-112018

WHEREAS, Matthew Fulham, a Special Education Math Teacher is on his 14th year as Head Football Coach at Edison High School, was also named New York Jets Tri-State Area Coach of the Week; and

WHEREAS, On Saturday, October 13th Coach Fulham along with members of the EHS Football team walked in support of the Marisa Tufaro Foundation's team of walkers/runners to Outrun Hunger in which more than \$12,000.00 was raised for the Edison based Hands of Hope Food Pantry; and

WHEREAS, Matthew Fulham has 26 years of experience in coaching high school athletics and is a highly motivated, and dedicated coach whose Edison High School Football Team is off to its best start in nearly two decades; and

WHEREAS, Matthew Fulham, as recipient of Coach of the Week honor, will be awarded a \$2,000.00 grant. In addition, the Eagles will receive an automatic bid to compete in the 2019 New York Jets 7-on-7 Tournament; and

WHEREAS, Matthew Fulham had inherited a team with a 31 game losing streak and guided them to 3rd place in the GMC Red Division in three years; and

WHEREAS, On Sunday, October 28th Matthew Fulham along with several EHS Football Team members sponsored the Veterans Bingo at the Menlo Park Veterans Home; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, Township of Edison, Middlesex County, New Jersey, that it is fitting and proper for the Council to honor and commend Matthew Fulham for superb and exemplary demonstration of Excellence.

Council Vice President Sendelsky opened the meeting for public comment on Resolution of Recognition R.620-112018.

Maria Orchid, 83 Jefferson Avenue, thanked the council for giving the coach recognition he has worked very hard and has done great things.

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

Councilmember Lombardi, congratulated Coach Fulham, on a great accomplishment and appreciate the dedication to the town and school.

Councilmember Gomez, amazing work you have come a long way it's an honor and amazing work with the kids.

Councilmember Diehl, Congrats Coach you did a great job best of luck.

Council Vice President Sendelsky, read a message from Jackie G, Hands of Hope a huge thank you to the Coach and Football team for the amount they raised is amazing. Also Freeholder Tomaro sent his thanks for making a huge difference and great success for EHS football team .

On a motion made by Councilmember Diehl seconded by Councilmember Lombardi, this Resolution was adopted.

Council Vice President Sendelsky presented this Resolution. He has always followed you and your team. The foundation you taught to giving back to the community was a total team effort. There were over 100 students who participated, you have set a great example, this council is honored.

Coach Fulham, said he is truly honored, he thanked his team and all the parents what great people they all are. Just a note tomorrow we will be in the Semi-Finals at 7pm, this is the first time in 18 years.

RESOLUTION R.621-112018

WHEREAS, Michael Ussak has contributed significant time and care to the Township of Edison (the “**Township**”) and its residents through his service as an Emergency Medical Technician (“EMT”); and

WHEREAS, Michael began serving as an EMT in 1968 while a college student at Florida Institute of Technology; and

WHEREAS, through his fraternity, Michael joined the Harbor City Volunteer Ambulance Squad, and provided emergency medical services throughout his time in college; and

WHEREAS, upon graduation, he returned to the New York City metropolitan area and volunteered as an EMT with the Peninsula Volunteer Ambulance Corps in Rockaway, New York; and

WHEREAS, Michael started the Central Park Medical Unit in New York City’s Central Park, and was instrumental in creating an organization that continues to provide emergency medical services to millions of visitors each year; and

WHEREAS, he volunteered with the Central Park Medical Unit for nearly twenty (20) years; and

WHEREAS, upon moving to the Township, Michael joined the Clara Barton First Aid Squad in 1992, and has provided emergency medical services as a volunteer EMT to the residents and visitors of the Township for over twenty-five (25) years; and

WHEREAS, in addition to his EMT services, Michael has also served in administrative positions and mentored many young members of the emergency medical services community; and

WHEREAS, he continues to serve the community today, and can be found most Sunday nights answering ambulance calls and helping those in need; and

WHEREAS, Michael’s service and dedication to the Township has positively fostered volunteerism, an appreciation of the Township and the role we should all strive to achieve to maintain the continued vitality of the Township and its impact on society; and

WHEREAS, the municipal council of the Township (the “**Municipal Council**”) hereby recognizes Michael for his commitment and dedication to the Township; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS: hereby recognizes Michael Ussak for his significant contributions to the Township’s volunteer emergency medical services and the community at large.

Council Vice President Sendelsky opened the meeting for public comment on Resolution of Recognition R.621-112018.

Maria Orchid, thanked Mike for his wonderful service to Clara Barton and the community.

Esther Nemitz, 162B Fay Street, as President of Clara Barton Neighborhood Group, we are very fortunate that we have a first aid squad in Clara Barton and lucky to have Mike providing us a great community service.

Catherine, a relative from Staten Island, it doesn’t matter what the family event, holiday, dinner he packs up and heads out to the First Aid Squad. All of our children have learned the commitment of service and community .

Frank, a EMT from Spotswood, has worked with Mike he is a Leader, wish we had more people like mike.

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

Councilmember Lombardi, Congratulated Mike on his 25 years in Edison, time and commitment is amazing along with having encouraged multiple people.

Councilmember Gomez, leaving your family behind attests your always there for the community. We are very grateful to have someone like you to build a community. Thank you we really appreciate all your work.

Council Vice President Sendelsky, Thank you for your 25 years of Volunteering. Your Family is very proud, neighborhood and town keep up the good work.

On a motion made by Councilmember Diehl seconded by Councilmember Lombardi, this Resolution was adopted.

Councilmember Diehl presented this Resolution. Your entire adult life you have devoted to your career and community. We need more people like you.

Mike Ussak thanked the council for this recognition along with thanking his family whom he left to answering calls of duty. He also would like to recognition all the volunteers on all the squads.

Annamarie Ussak, Mike's Wife, I worked secretly with Councilmember Diehl, Mike had no idea, well deserved. She was his EMT Instructor very grateful for him.

NEW BUSINESS
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, NOVEMBER 28, 2018.

**O.2032-2018 AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE 1 OF
TITLE 39 OF THE REVISED STATUTES OF NEW JERSEY
APPLICABLE TO THE EDISON SHOPPING CENTER LOCATED AT
2303 WOODBRIDGE AVENUE AND REGULATING THE USE OF SAID
DRIVEWAYS AND PARKING LOTS BY MOTOR**

On a motion made by Councilmember Lombardi 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 Wednesday, November 28, 2018.

AYES - Councilmembers Diehl, Gomez, Lombardi and Vice President Sendelsky.

ABSENT – Councilmembers Coyle, Joshi and Council President Patil

NAYS – None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council Vice President Sendelsky opened the meeting to the public for comments on Proposed Resolutions R.622-112018 through R.655-112018

Esther Nemitz, 162B Fay Street, asked for the amounts for Resolutions R.644-112018, R.645-112018 and R.646-112018.

Mr. Northgrave reiterated the amounts they are in the Resolutions.

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.622-112018 through R.655-112018 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Gomez.

RESOLUTION R.622-112018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING NOVEMBER 7, 2018.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through November 7, 2018.

FUND	AMOUNT
Current	\$17,451,481.00
Affordable Housing	2,735.42
Capital	945,184.85
Cash Performance	8,399.55
CDBG	21,337.90
Developers Escrow	2,050.60
Dog (Animal Control)	11,566.52
Federal Forfeited	0.00
Grant Funds	38,164.05
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,043,711.112
Sanitation Fund	300,690.98
Self Insurance	0.00
Sewer Utility	319,203.20
Tax Sale Redemption	144,104.96
Tree Fund	0.00
Tree Planting	0.00
Trust	466,792.71
TOTAL	\$20,735,422.86

/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.623-112018

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 **\$152,698.61**.

RESOLUTION R.624-112018

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 **\$3,735.66**.

RESOLUTION R.625-112018

**RESOLUTION REQUESTING APPROVAL OF
THE BEST PRACTICES INVENTORY QUESTIONNAIRE
FOR CALENDAR YEAR 2018**

WHEREAS, **Local Finance Notice LFN 2018-26** provides guidance with respect to how the Division of Local Government Services, State of New Jersey will implement the statutory requirement of the Best Practices Questionnaire CY 2018 and the inventory contained within the Best Practices Questionnaire is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Governing Body of the Township of Edison, State of New Jersey acknowledges the Best Practices Inventory Questionnaire CY 2018 and has been apprised of the responses completed by the Chief Financial Officer and authorizes the Certification and prompt submission by the Municipal Clerk and the Chief Financial Officer; and

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby accepts the Best Practices Questionnaire CY 2018 with the responses completed by the Chief Financial Officer and authorizes a copy to be sent to the Division of Local Government Services within the prescribed time frame dictated by the Division of Local Government Services and the Local Finance Notice LFN 2018-26.

RESOLUTION R.626-112018

Authorizing a tax exemption/refund for a disabled veteran for **108 PLEASANT AVE**

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, **ROBERT JANESKI** is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to **March 2nd, 2018**; and

WHEREAS, real estate taxes on this property known as Block **694.Q** Lot **18**, , **108 PLEASANT AVE**, have been billed for **2018**; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

WHEREAS, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **03/02/2018** to **12/31/2018**; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on **694.Q** Lot **18**, , assessed to **ROBERT JANESKI**, be cancelled for **\$542.08 of 1st quarter of 2018**, and in full for the **2nd, 3rd, and 4th** quarters of **2018** and also refunded for the municipal property taxes already paid for the time period of from **03/02/2018** thru **12/31/2018** in the amount of **\$5,311.16** and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of **ROBERT JANESKI** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$5,311.16**.

RESOLUTION R.627-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Toranco-Oaktree Associates, LLC for the Tax Years 2016, 2017 and 2018.

WHEREAS, Toranco-Oaktree Associates, LLC (“Taxpayer”), the owner of property located at 2161 Oak Tree Road, Block: 555, Lot 4.04, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 009392-2016, 010837-2017 and 011535-2018; 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>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$233,500.00
Improvements:	<u>\$223,000.00</u>	<u>\$223,000.00</u>	<u>\$223,000.00</u>
Total:	\$456,500.00	\$456,500.00	\$456,500.00

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

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$183,500.00
Improvements:	<u>\$166,500.00</u>	<u>\$116,500.00</u>	<u>\$116,500.00</u>
Total:	\$400,000.00	\$350,000.00	\$300,000.00

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 Taxpayer and Kates Nussman Rapone Ellis Farhi & Earle, LLP, Attorney Trust Account and forwarded to Joel M. Ellis, Esq., Kates Nussman Rapone Ellis Farhi & Earle, LLP, 190 Moore Street Hackensack, New Jersey 07601 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 \$2,858.90 for 2016, \$5,491.14 for 2017 and \$8,250.68 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 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>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$183,500.00
Improvements:	<u>\$166,500.00</u>	<u>\$116,500.00</u>	<u>\$116,500.00</u>
Total:	\$400,000.00	\$350,000.00	\$300,000.00

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 the Tax Appeal filed for the years 2016, 2017 and 2018 under Docket Numbers 009392-2016, 010837-2017 and 011535-2018 by the Taxpayer, owner of the property located at 2161 Oak Tree Road, Block: 555, Lot 4.04;

4. The 2019 assessment shall be set at \$300,000.00; 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 reduction.

RESOLUTION R.628-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by 3920 Park Avenue Associates, LP for the Tax Years 2014 and 2015.

WHEREAS, 3920 Park Avenue Associates, LP (“Taxpayer”), the owner of property located at 3920 Park Avenue, Block: 593, Lot 64, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2014, and 2015 with the Tax Court of New Jersey under Docket Numbers 002667-2014, and 005097-2015; 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>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,293,600.00</u>	<u>\$1,293,600.00</u>
Total:	\$2,100,000.00	\$2,100,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2014 and 2015 Tax Years as follows:

	<u>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,193,600.00</u>	<u>\$1,193,600.00</u>
Total:	\$2,000,000.00	\$2,000,000.00

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 Berger & Bornstein, P.A, Attorney Trust Account and forwarded to Lawrence S. Berger, Esq., Berger & Bornstein, 237 South Street, P.O. Box 2049, Morristown, New Jersey 07962 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 \$4,726.00 for 2014 and \$4,864.00 for 2015.

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 2014, and 2015 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,193,600.00</u>	<u>\$1,193,600.00</u>
Total:	\$2,000,000.00	\$2,000,000.00

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 the Tax Appeal filed for the years 2014 and 2015 under Docket Numbers 002667-2014 and 005097-2015 by the Taxpayer, owner of the property located at 3920 Park Avenue, Block. 593, Lot 64.

4. 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 reduction.

RESOLUTION R.629-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Gerald McNee/TAR Properties, LLC for the Tax Years 2014, 2015, 2016, 2017 and 2018.

WHEREAS, Gerald McNee and TAR Properties, LLC (“Taxpayer”), the owner of property located at 1115 United States Route 1, Block 201, Lot 17 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2014, 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 013917-2014, 009824-2015, 009745-2017 and 010640-2018.

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>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$452,000.00	\$452,000.00	\$452,000.00	\$ 452,000.00	\$ 452,000.00
Improvements:	<u>\$437,000.00</u>	<u>\$437,000.00</u>	<u>\$437,000.00</u>	<u>\$ 738,800.00</u>	<u>\$ 738,800.00</u>
Total:	\$889,000.00	\$889,000.00	\$889,000.00	\$1,190,800.00	\$1,190,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2014 through 2018 Tax Years as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$425,000.00	\$425,000.00	\$425,000.00	\$ 425,000.00	\$ 425,000.00
Improvements:	<u>\$190,000.00</u>	<u>\$170,000.00</u>	<u>\$170,000.00</u>	<u>\$ 738,000.00</u>	<u>\$ 738,000.00</u>
Total:	\$615,000.00	\$595,000.00	\$595,000.00	\$1,163,000.00	\$1,163,000.00

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 Convery, Convery & Shihar, P.C, Attorney Trust Account and forwarded to Clark W. Convery, Esq., Convery, Convery & Shihar, P.C., 32 South Main Street, Edison, New Jersey 08837 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 \$12,949.24 for 2014, \$14,300.16 for 2015, \$14,876.40 for 2016, \$1,433.37 for 2017, and \$1,465.62 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 2014, 2015, 2016, 2017 and 2018 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$425,000.00	\$425,000.00	\$425,000.00	\$ 425,000.00	\$ 425,000.00
Improvements:	<u>\$190,000.00</u>	<u>\$170,000.00</u>	<u>\$170,000.00</u>	<u>\$ 738,000.00</u>	<u>\$ 738,000.00</u>
Total:	\$615,000.00	\$595,000.00	\$595,000.00	\$1,163,000.00	\$1,163,000.00

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 the Tax Appeal filed for the years 2014 through 2018 under Docket Numbers 013917-2014, 009824-2015, 009745-2017 and 010640-2018 by the Taxpayer, owner of the property located at 1115 United States Route 1, Block: 201, Lot 17.
4. 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 reduction.

RESOLUTION R.630-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by BGW, LLC for the tax years 2015, 2016, 2017, and 2018

WHEREAS, BGW, Inc. (“Taxpayer”), the owner of properties located at 125-143 Lincoln Highway, 127 Lincoln Highway and 143 Lincoln Highway in the Township of Edison, County of Middlesex, and known as Block 672, Lot 24.D, Block 672, Lot 26.B and Block 672, Lot 29 respectively on the Township of Edison’s Tax Assessment Maps (“Properties”), filed Tax Appeals for the years, 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 001848-2015, 003819-2016, 004766-2017 and 005421-2018.

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 properties were originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>
Total:	\$1,672,700.00	\$1,672,700.00	\$1,672,700.00	\$1,672,700.00

WHEREAS, the proposed settlement provides for an assessment of the 2015, 2016, 2017 and 2018 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$ 625,400.00</u>	<u>\$ 425,600.00</u>	<u>\$325,400.00</u>
Total	\$1,672,700.00	\$1,200,000.00	\$1,000,000.00	\$900,000.00

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 “Wilentz, Goldman & Spitzer, P.A. Attorney Trust Fund” and the Taxpayer and forwarded to “Robert L. Selvers, Esq. c/o Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey 07095” 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 **\$23,918.62** for the 2016 Tax Year Appeal, **\$34,684.41** for the 2017 Tax Year Appeal, and **\$40,736.74** for the 2018 Tax Year Appeal

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:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$ 625,400.00</u>	<u>\$ 425,600.00</u>	<u>\$325,400.00</u>
Total	\$1,672,700.00	\$1,200,000.00	\$1,000,000.00	\$900,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein.
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Properties for Tax Appeals filed for the years 2015, 2016, 2017 and 2018, under Docket Numbers 001848-2015, 003819-2016, 004766-2017 and 005421-2018 by the Taxpayer, owner of the properties located at 125-143 Lincoln Highway, 127 Lincoln Highway and 143 Lincoln Highway in the Township of Edison, County of Middlesex, and known as Block 672, Lot 24.D, Block 672, Lot 26.B and Block 672, Lot 29.
4. 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 reduction.

RESOLUTION R.631-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Willaim and Ann Giampolo for the Tax Year 2013.

WHEREAS, William and Ann Giampolo (“Taxpayers”), the owner of property located at 6 Longview Road, Block: 557.BB, Lot 7.E, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2013 with the Tax Court of New Jersey under Docket Number 013251-2013.

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>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$439,300.00</u>
Total:	\$639,300.00

WHEREAS, the proposed settlement provides for an assessment of the 2013 Tax Year as follows:

	<u>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$389,300.00</u>
Total:	\$589,300.00

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 “William and Ann Giampolo and Spector Foerst & Associates” and forwarded to James M. Foerst, Esq. , Spector Foerst & Associates, 159 Millburn Avenue, Millburn, New Jersey 07041 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 **\$3,432.00.**

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 2013 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows

	<u>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$389,300.00</u>
Total:	\$589,300.00

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 the Tax Appeal filed for the year 2013 under Docket Number 013251-2013 by the Taxpayer, owner of the property located at 6 Longview Road, Block: 557.BB, Lot 7.E.
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 reduction.

RESOLUTION R.632-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Inderpal Kaur Mann for the tax year 2017 and Grand Castle Real Estate, LLC for the tax year 2018.

WHEREAS, Inderpal Kaur Mann and Grand Castle Real Estate, LLC (“Taxpayer”), the owners of property located at 1914 Oak Tree Road in the Township of Edison, County of Middlesex, and known as Block 545.T, Lot 29 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 000482-2017 and 010555-2018; and

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>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$308,600.00</u>	<u>\$308,600.00</u>
Total:	\$410,100.00	\$410,100.00

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

	<u>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$123,500.00</u>	<u>\$123,500.00</u>
Total:	\$225,000.00	\$225,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeals 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 “Sitar Law Offices, L.L.C., Attorney Trust Account” and the Taxpayer and forwarded to “William J. Sitar, Esq., Sitar Law Offices, L.L.C., 1481 Oak Tree Road, Iselin, New Jersey 08830” 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 \$9,543.76 for 2017 and \$9,758.47 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:

For the 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>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$123,500.00</u>	<u>\$123,500.00</u>
Total:	\$225,000.00	\$225,000.00

1. Interest is waived on the refund, provided such refund is provided as specified herein; and
2. 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 2017 and 2018 tax years under Docket Numbers 000482-2017 and 010555-2018 by the Taxpayer, owners of the property located at 1914 Oak Tree Road, Block 545.T, Lot 29; and
3. 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 reduction.

RESOLUTION R.633-112018

This Resolution authorizes the settlement of Tax Appeals filed by 37 Meridian Holding, LLC for the tax years 2014, 2015, 2016 and 2017.

WHEREAS, 37 Meridian Holding, LLC. (“Taxpayer”), the owner of property located at 37 Meridian Road in the Township of Edison, County of Middlesex, and known as Block 546.NN, Lot 20 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2014, 2015, 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 013932-2014, 012256-2015, 010423-2016 and 012031-2017.

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>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements:	<u>\$455,800.00</u>	<u>\$455,800.00</u>	<u>\$455,800.00</u>	<u>\$455,800.00</u>
Total:	\$615,800.00	\$615,800.00	\$615,800.00	\$615,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2014, 2015, 2016 and 2017 Tax Years as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements:	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>
Total:	\$527,300.00	\$527,300.00	\$527,300.00	\$527,300.00

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 “Michael A. Vespasiano Attorney, Trust Fund” and the Taxpayer and forwarded to “Michael A. Vespasiano, Esq., Law Offices of Michael A. Vespasiano, 331 Main Street, Chatham, New Jersey 07928 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 **\$4,182.51** for the 2014 Tax Year Appeal, **\$4,304.64** for the 2015 Tax Year Appeal, **\$4,478.10** for the 2016 Tax Year Appeal and **\$4,563.06** for the 2017 Tax Year Appeal.

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 2014, 2015, 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements:	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>
Total:	\$527,300.00	\$527,300.00	\$527,300.00	\$527,300.00

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, 2014, 2015, 2016 and 2017, under Docket Numbers 013932-2014, 012256-2015, 010423-2016 and 012031-2017 by the Taxpayer, owner of the property located at 37 Meridian Road, Block 546.NN, Lot 20;
4. The Freeze Act is to apply for the 2018 Tax Year; 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 as

RESOLUTION R.634-112018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO HON COMPANY C/O CANTON OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase office furniture for various offices within the Township of Edison; and

WHEREAS, HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761, has been awarded State Contract Number 81641 under G-2004/Furniture: Office, Lounge; and

WHEREAS, the total amount of this contract, not to exceed \$300,000.00, 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, 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, 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(s) in the amount not to exceed \$300,000.00 and any other necessary documents, with HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761 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. 81641 under G-2004.

RESOLUTION R.635-112018

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO ATLANTIC INDUSTRIES, LLC FOR DEMOLITION AND DEBRIS REMOVAL AT BASEBALL FIELD HOUSE ON JEFFERSON BLVD.

WHEREAS, quotes were solicited by the Township of Edison to provide demolition and removal of debris from baseball field house on Jefferson Blvd.; and

WHEREAS, ATLANTIC INDUSTRIES, LLC, 14 Cranbury Neck Rd., Cranbury, NJ 08512 submitted the lowest quote in the amount of \$11,150.00; and

WHEREAS, for the previous twelve months, the Township expended \$12,800.00 with ATLANTIC INDUSTRIES, LLC, and the current contract/Purchase Order in the amount of \$11,150.00 will make a combined total amount of \$23,950.00 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, funds in the amount of \$11,150.00 have been certified to be available in Contingent Expense, Account Number 8-01-35-0470-000-020; and

WHEREAS, prior to contract/Purchase order, ATLANTIC INDUSTRIES, LLC, 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 ATLANTIC INDUSTRIES, LLC, 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 \$11,150.00 by ATLANTIC INDUSTRIES, LLC, 14 Cranbury Neck Rd., Cranbury, NJ 08512 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 \$11,150.00 and any other necessary documents, with ATLANTIC INDUSTRIES, LLC, as described herein.
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 **\$11,150.00** are available, for the above contract in Account No. **8-01-35-0470-000-020**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.636-112018

EXPLANATION: Resolution releasing a Performance Bond and refunding a Cash Performance Bond to North Field Construction Company /Bank of America, for the project located at 816 Route One , Edison ,NJ ; Application # Z40-2016; Block 265.BB Lot 46.E; Account #CP161018NO,68391865

WHEREAS, on October 11, 2016 , North Field Construction Company/ Bank Of America, having offices at 16 Ray Place, Fairfield, NJ 07004, posted a Performance Surety Bond #0198492 in the amount of \$44,292.96, to guarantee the installation of improvements for the project at 816 Route One, Block 265.BB Lot 46.E; and

WHEREAS, a Cash Performance check was posted on October 11,2016 by Check #6762302041, in the amount of \$4,921.44, on deposit in account **#CP161018NO, 68391865**; which

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed.

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 **\$4,921.44** plus accrued interest, if applicable, on deposit in account **#CP161018NO** to the applicant, and the Surety Bond **#0198492** in the amount of **\$44,292.96** be refunded to Berkley Insurance Company, having offices at 475 Steamboat Road, Greenwich, CT 06830.

RESOLUTION R.637-112018

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee and plan review fee, posted for a residential construction permit. The work was never performed.

WHEREAS, on August 18, 2017 , a Construction Permit fee, check #4845, permit #2017-3667, was posted in the total amount of \$394.00 by the contractor, C & C Air, having offices at 152 Route 39, Belford, NJ- 07718 ; and

WHEREAS, the application was submitted for a HVAC replacement at 45 Brookside Rd. Edison, NJ 08817, by the hired contractor; C & C Air.

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$300.00, derived from the \$394.00 total construction permit fee less the \$19.00 DCA fee, and less the 20% plan review fee of \$75.00 be refunded to the contractor C & C Air.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2017-3667, in the amount of \$300.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$300.00 on construction permit fees posted by C & C Air for 45 Brookside Rd. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$300.00 from the Refund of Revenue Fund to the Contractor, C & C Air, having offices at 152 Route 39, Belford, NJ- 07718.

RESOLUTION R.638-112018

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 STO0000304, to the following:

Permit Number: DEV-0028

Opening Location: 16 BENNINGTON DR

Block/Lot: 490.C/30.A

Applicant's Name & Address:

**BARRON HOME REMODELING
655 RAHWAY AVE
WOODBIDGE, NJ 07095**

Initial Deposit Date: 8/03/2018

Deposit Amount: \$1640.00

Paid by & refunded to:

**BARRON HOME REMODELING
655 RAHWAY AVE
WOODBIDGE, NJ 07095**

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.639-112018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO TRIUS, INC. FOR THE PURCHASE OF SIX (6) HENKE SNOW PLOWS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS

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, TRIUS, INC., 5049 Industrial Rd., Farmingdale, NJ 07727 has been awarded Contract #ESCNJ 17/18-30 Trucks-26,000 lbs. Gross Vehicle Weight (GVW) or greater under NJ State approved coop #65MCESCCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with TRIUS, INC. for the purchase of six (6) 10' Henke Snow Plows with accessories at a total price of \$74,158.20 (\$12,359.70 per plow); and

WHEREAS, funds in the amount of \$74,158.20 have been certified to be available in the Acquisition of Public Works Equipment Account, Number C-04-15-1914-310-000; 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 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 \$74,158.20 and any other necessary documents, with TRIUS, INC., 5049 Industrial Rd., Farmingdale, NJ 07727, 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 **\$74,158.20** are available for the above contract in Account No. **C-04-15-1914-310-000**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.640-112018

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ROCK SALT FROM MORTON SALT INCORPORATED THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

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 County of Middlesex 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, MORTON SALT INCORPORATED, 444 West Lake St., Suite 3000, Chicago, IL 60606 has been awarded Bid No. B-18-560 through State Coop #71-MCCPS, Treated Rock Salt under Resolution Number 18-1505-R; for the period of December 1, 2018 – November 30, 2019; and

WHEREAS, the total amount of this contract, not to exceed \$120,000.00, 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.

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) in the amount not to exceed \$120,000.00 and any other necessary documents, with MORTON SALT INCORPORATED, 444 West Lake St., Suite 3000, Chicago, IL 60606 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-18-560 through State Coop #71-MCCPS, under Resolution No. 18-1505-R.

RESOLUTION R.641-112018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO ARAMSCO, INC. FOR THE PURCHASE OF POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase Homeland Security equipment and supplies for the Division of Police; and

WHEREAS, ARAMSCO, INC., P.O. Box 29, View Avenue, Thororfare, NJ 08086 has been awarded State Contract Number 81352 under T-0106/Police and Homeland Security Equipment and Supplies; 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 total amount of this contract, not to 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.

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) in the amount not to exceed \$25,000.00 and any other necessary documents, with ARAMSCO, INC., P.O. Box 29, View Avenue, Thororfare, NJ 08086 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. 81352 under T-0106.

RESOLUTION R.642-112018

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) 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 Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) on the tax map of the Township (hereinafter the "**Study Area**"), 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-Condemnation 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-Condemnation 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.643-112018

EXPLANATION: A Resolution amending and supplementing R.432-082018 regarding the Township's consent to the proposed Lower Raritan/Middlesex Quality Management Plan Amendment for the RG Edison Warehouse Redevelopment Project, as in conformance with the Township's Master Plan.

WHEREAS, the Township of Edison (the "**Township**") desires to provide for the orderly development of wastewater facilities within the Township; and

WHEREAS, the New Jersey Department of Environmental Protection (the "**NJDEP**") requires that proposed wastewater treatment and conveyance facilities and wastewater treatment services areas, as well as related subjects, conform with an approved water quality management plan (the "**WQM**"); and

WHEREAS, the NJDEP established the WQM plan amendment procedure (the "**WQPM**") through the rules at *N.J.A.C. 7:15-3.5* as the method of incorporating unplanned facilities into the WQM plan; and

WHEREAS, the Township's proposed WQM plan amendment was noticed in the New Jersey Register on March 9, 2018 for the RG Edison Warehouse Redevelopment Project, as prepared by Langan Engineering and Environmental Services, Inc.; and

WHEREAS, by way of Resolution R.432-082018, the municipal council of the Township (the "**Municipal Council**") consented to the RG Edison Warehouse Redevelopment Project amendment, publicly noticed on March 9, 2018 and prepared by Langan Engineering and Environmental Services, Inc., for the purpose of its incorporation into the applicable WQM plan(s); and

WHEREAS, in providing for the orderly development of wastewater management facilities within the Township, the Township further desires to provide for the orderly development of wastewater management facilities that are in conformance with the Township's Master Plan; and

WHEREAS, the NJDEP requires that the proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM, as well as the Township's Master Plan; and

WHEREAS, the Municipal Council desires to amend and supplement R.432-082018 by further affirming that the RG Edison Warehouse Redevelopment Project amendment, prepared by Langan Engineering, conforms to the Township's Master Plan, as affirmed by the Township's Planner.

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 Township hereby consents to the RG Edison Warehouse Redevelopment Project amendment, publicly noticed on March 9, 2018 and prepared by Langan Engineering and Environmental Services, Inc., for the purpose of its incorporation into the applicable WQM plan(s), as approved by the Municipal Council by way of Resolution R.432,082018, and desires to amend and supplement same by further affirming that the RG Edison Warehouse Redevelopment Project amendment is in conformance with the Township’s Master Plan, as affirmed by the Township’s Planner.

Section 3. This consent shall be submitted to the NJDEP in accordance with *N.J.A.C. 7:15-3.5(g)6*.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.644-112018

EXPLANATION: This Resolution increases the budget for legal fees to be paid McManimon, Scotland and Baumann LLC for its professional services as Township Attorney.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with McManimon, Scotland and Baumann LLC (“**Township Attorney**”) to act as the Township Attorney for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that the Township Attorney was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$80,000.and authorizes the payment to the Township Attorney for legal services under the Contract.

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 Budgeted Amount to be paid to the Township Attorney for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$80,000. The Chief Financial Officer or is designee is hereby authorized to make payments to the Township Attorney 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 Conflict 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 2018 calendar year, funds in the amount of an additional \$80,000. are available in Account No: 8-01-20-0155-001-027 for Township Attorney.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.645-112018

EXPLANATION: This Resolution increases the budget for legal fees to be paid Cleary Giacobbe, Alfieri, Jacobs LLC for its professional services as Township Special Labor Counsel.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with Cleary Giacobbe, Alfieri, Jacobs LLC (“**Special Labor Counsel**”) to act as the Township’s special labor counsel for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Special Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$20,000 and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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 Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$20,000. The Chief Financial Officer or its designee is hereby authorized to make payments to Special Labor Counsel 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 2018 calendar year, funds in the amount of an additional \$20,000. are available in Account No: 8-01-20-0155-001-027 for Special Labor Services.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.646-112018

EXPLANATION: This Resolution increases the budget for legal fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its professional services as Township Special Labor Counsel.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with Apruzzese, McDermott, Mastro & Murphy, P.C. (“**Special Labor Counsel**”) to act as the Township’s special labor counsel for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Special Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$ 30,000. and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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 Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$30,000. The Chief Financial Officer or his designee is hereby authorized to make payments to Special Labor Counsel 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 2018 calendar year, funds in the aforementioned amount are available in Account No: 8-01-20-0155-001-027 for Special Labor Services.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.647-112018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Bridge Edison, LLC with respect to Block 197, Lot 3.B1 on the Edison Township Tax Map, and more commonly known as the property located at 150 Whitman Avenue.

WHEREAS, Block 197, Lot 3.B1, and more commonly known as the property located at 150 Whitman 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 Bridge Edison, LLC (“**Developer**”) for preliminary and final major site plan approval, variances and a waiver to construct a 124,560 square foot warehouse at the Property (the “**Project**”); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on May 14, 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.648-112018

EXPLANATION: Resolution releasing performance bond for completed site plan improvements at 1963 Oak Tree Road, under Application #Z2-2017 - CP170829SP

WHEREAS, the Township of Edison (the “Township”) Engineer advises that all inspections have been made of the improvements to the property located at Block 561, Lots 5 through 7 and Block 557-EE, Lot 3.T1 on the tax map of the Township, and more commonly known as 1963 Oak Tree Road, pursuant to under Application #Z2-2017; and

WHEREAS, said inspection indicates all improvements are complete and in accordance with Site Plan approvals and Municipal Standards of the Township; and

WHEREAS, the Township Engineer recommends the release of a performance bond in the amount of \$40,848.00, to Spectrums End, LLC pursuant to the terms and conditions of the Bond Estimate Letter issued by the Township on August 11, 2017, and acceptance of the subject improvements.

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 aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the aforementioned performance bond.

2. The Township Clerk shall provide a certified true copy of this resolution is forwarded to the Director of Finance.

3. This resolution shall take effect immediately.

RESOLUTION R.649-112018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO PADMAJA MARTI FOR THE YAP PROGRAM

WHEREAS Padmaja Marti made payment in the amount of \$190.00 for her child Sudith Marti’s participation in the YAP Program at John Adams Middle School for the month of November, 2018; and

WHEREAS the child was removed from the program before attending in November; and

WHEREAS payment was already made for the month of November, 2018.

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 \$190.00 to Padmaja Marti, 950 New Dover Rd., Edison, NJ, 08820 which represents the amount for the YAP Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$190.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.650-112018

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 **\$219.54**, and that this Resolution shall take effect immediately.

RESOLUTION R.651-112018

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 STO0000314, to the following:

Permit Number: DEV-0050

Opening Location: 99 Stephenville Pkwy

Block/Lot: 557.R/7

Applicant's Name & Address:

**SAJI KUTTY
99 STEPHENVILLE PKWY
EDISON, NJ 08820**

Initial Deposit Date: 10/12/2018

Deposit Amount: \$1680.00

Paid by & refunded to:

**SAJI KUTTY
99 STEPHENVILLE PKWY
EDISON, NJ 08820**

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.652-112018

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 STO000287, to the following:

Permit Number: DEV-0003

Opening Location: 62 PRESTON ST

Block/Lot: 161.T/17.H

Applicant's Name & Address:

**CEA Home Improvement
216 Jarvis Rd
Sicklerville, NJ 08081**

Initial Deposit Date: 6/1/2018

Deposit Amount: \$640.00

Paid by & refunded to:

**Asit Govil & Sonal Gupta
3 Venezia Dr
Monroe, NJ 08831**

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.653-112018

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 STO0000286, to the following:

Permit Number: DEV-0041

Opening Location: 33 Runyon Ave

Block/Lot: 104L/27

Applicant's Name & Address:

**Laxmi Devineni
33 Runyon Ave
Edison, NJ 08817**

Initial Deposit Date: 9/19/2018

Deposit Amount: \$2160.00

Paid by & refunded to:

**Laxmi P Devineni
33 Runyon 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.654-112018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO RICHARD VECCHIONE FOR THE WEIGHT ROOM PROGRAM

WHEREAS Richard Vecchione made payment in the amount of \$30.00 for the Weight Room Program; and

WHEREAS the weight room closed after he made payment.

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 \$30.00 to Richard Vecchione, 111 Taft Avenue, Edison, NJ 08817, which represents the amount for the Weight Room Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$30.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.655-112018

Authorizing a tax exemption/refund for a disabled veteran for 16 Seymour Ave.

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, **Jonathan Suydam** is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to June 18, 2018; and

WHEREAS, real estate taxes on this property known as Block 160.M Lot 28, 16 Seymour Ave., have been billed for 2018; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block 160.M Lot 28, assessed to Jonathan Suydam, be cancelled for the fourth quarter of 2018 and also refunded for the municipal property taxes already paid for the time period of from June 18, 2018 thru September 30, 2018 in the amount of **\$2,132.38**.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of Jonathan Suydam for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$2,132.38**.

AYES - Councilmembers Diehl, Gomez, Lombardi, and Council Vice President Sendelsky.

ABSENT - Councilmembers Coyle, Joshi and Council President Patil.

NAYS - None

ORAL PETITIONS AND REMARKS

Council Vice President Sendelsky opened the meeting for public comment.

Suzanne O'Neil, 135 Vineyard Road, Trustee on Library Board, there has been a little progress. The next Library meeting is scheduled for November 21st at 5:30, North Edison Library. We only have 61 employees at the Library where is the money coming from for the new created position of Chief of Staffing. The Mayor has replaced his representative with our Business Administrator Ms. Ruane hopefully to get us back on track.

Maria Orchid, 83 Jefferson Avenue, Farmers Market is on Sunday 8:00am -2:00pm the have fresh produce. Edison High School Holiday craft show is on December 17th to raise for project graduation. Clara Barton Neighborhood will be working on the Snow Men to be put up on Amboy Avenue on November 27, 2018.

Elaine Kaufman, 15 Cutter Avenue, she has lived there for 46 years the road has not been paved in 43 years. We can't wait the road is desinagrating we have been asking for two years we deserve to have road repaved.

Mr. O'Brien, we will start looking at 2019 Road paving should have a list sometime in December. We have done six million dollars each year for the past two years in road paving.

Dr. Sharma, 3 Bluebird Ct., lives one block from Cutter he has a handicap child in a wheel and it is difficult.

Resident, 2 Bluebird Ct., has lived here for twenty two years never have they seen the road repaired.

Council Vice President, we are dedicated to getting our roads and infrastructure.

Esther Nemitz, 162B Fay Street, new lights that were installed at her apartment complex they are blinding and extremely bright. She has lived there for 50 years. She feels we need to have rules and regulation on the lights. Can someone please come to look at these lights?

John Poyner, 40 Roosevelt Blvd. ,for the past three plus years he has been involved within his community. He presented to us Beautiful Edison a New Jersey non-profit organization with the mission is to assist existing or new projects or programs. They aim to improve the general landscape of Edison. They met with the Mayor regarding Swales Park they would like to add to the grant park improvements, which it was done. They would like to invite the Council and all the resident of Edison on Friday, December 14th at 7:00pm, Clara Barton First Aid Squad for a formal presentation. We are working on a website, our email address is beautiful Edison@gmail.com. As always, he thanked us for our time.

Council Vice President Sendelsky, thank you for all your hard work.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Gomez the meeting was adjourned at 7:46p.m.

Leonard Sendelsky
Council Vice President

Cheryl Russomanno, RMC
Municipal Clerk