

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
April 24, 2019**

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 6:05 p.m. by Council President Gomez followed by the Pledge of Allegiance.

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

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Inspector Spearnock, Township Engineer O'Brien, Public Works Director Russomanno, Acting Recreation Director Fircha, Police Captain Filannino, Fire Deputy Chief Toth and Cameraman Cologna.

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

4. REVIEW OF MINUTES:

- a. No comments were made.

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Patil, Cablevision can we regulate fees, or allow any other 3rd party company in Town?

Mr. Northgrave agreement is not exclusive however they are governed by Board of Public Utilities.

Councilmember Coyle added Cablevision is not fair practice of pricing.

Mr. Northgrave explained there is nothing the Township can do regarding their pricing.

Council President Gomez, we cannot control nor do we have jurisdiction at this level please do not miss lead residents.

Councilmember Joshi thanked recreation and administration regarding their meeting on larger fields to play various sports.

Councilmember Lombardi, on behalf of Public Safety Committee he recognized our first responders for an incident on April 15th, Fire Station 3 the C shift for saving a child and on April 18th an overturned vehicle on Woodbridge Avenue Police Officers Cimmino, Patel and Smith got the person out of the car.

Council President Gomez we should always remember our public safety people who are decided to keep us safe.

6. POINTS OF LIGHT:

Council President Gomez announced the Public Hearing on Suez will continue on Thursday, May 2, 2019 at 6:00pm in Council Chambers. On Saturday, May 4th Clara Barton Neighborhood Yard Sales from 9:00am to 3:00pm. Mayor Lankey and former Governor Jim McGreevey will be guest speakers for the Coping with Addiction in the Workplace and Community sponsored by Edison Chamber of Commerce held at Oak Tree Presbyterian Church. 445 Plainfield Road, on May 8, 2019 from 6:30pm to 8:30pm.

Councilmember Sendelsky this past weekend attended the awards for the Art work the school children did that was displayed at the Coffee House in Clara Barton. The children did a wonderful job there was a great community feel.

Councilmember Joshi attended a Law Enforcement event where Police Chief throughout the county attended they are all looking for new recruits.

Councilmember Coyle commended the coaches how they inspire the children and all their hard work to preparing the fields, getting sponsors along with organizing the parades. He announced Edison Chamber of Commerce hosting the Health & Wellness free screening on May 17th at the Pines Manor from 11:00am to 2:00pm.

Councilmember Patil, attended along with Councilmember Coyle the Lions and Edison Township sponsored a Spring Fling Dance, very well attended and on April 13th the Flea Market at the high school raised money for the PTA.

7. **FROM THE BUSINESS ADMINISTRATOR:**
a. through d. No comments were made

8. **FROM THE DEPARTMENT OF FINANCE:**
a. through d. No comments were made

9. **FROM THE DEPARTMENT OF LAW:**
a. Councilmember Patil asked what happened this was already approved.

Mr. Northgrave explained the Board of Education made significant change, so it needed to be re-approved. The Board of Education already approved these changes.

b. **ADDING RESOLUTION TO AGENDA:** Resolution authorizes the Township to retain Dressel/Malikschnitt LLP to provide professional legal services to the Municipal Council in connection with the Committee of the Whole created pursuant to R.111-022019. (Resolution R.219-042019)

Councilmember Coyle asked what was the process in hiring this attorney.

Council President Gomez explained the sub-committee met they recommended this attorney it is up for a vote tonight.

Councilmember Diehl added we will also need a stenographer. Our 1st meeting is scheduled for May 14th.

Mr. Northgrave indicated he doesn't think we need a stenographer now we can put a resolution on later.

Councilmember Joshi, read the credential of this law firm. The Sub-Committee felt they meet the qualifications of what we are trying to achieve.

Councilmember Coyle, did you ask if they did a Committee of the Whole.

Councilmember Joshi, they haven't dealt with this type of flyer.

10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
a. and b. No comments were made

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
a. No comments were made.

12. **FROM THE RECREATION DEPARTMENT**
a. through c. No comments were made

13. **FROM THE CHIEF OF POLICE:**
a. through d. No comments were made.

14. **FROM THE CHIEF OF FIRE:**
a. No comments were made.

15. **FROM THE TOWNSHIP CLERK:**
a. Councilmember Joshi, he is very happy to support she does an outstanding job, everyone in the Clerk's Office does an awesome job.

16. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
Councilmember Sendelsky report as follows:

Edison Planning Board Meeting Monday April 25, 2019

- Redevelopment Plan 121 Main Street (Ray Catena) **was approved** to send back to council

-Planner Hank Bignell did a presentation on **R.164-032019** for Woodbridge Avenue Redevelopment Plan (844 King Georges Road). This Plan was originally submitted by Heyer and Gruel and was updated by Hank Bignell. The biggest items are the elimination of sidewalks along King Georges Post road since there are none there now and sidewalks will be added along buildings if they provide access to any parking areas. Landscaped areas shall remain at 15 feet in width along all property lines and not 10 feet. The planning board recommends that the council approves the modifications made by Mr. Bignell in its entirety. This plan was approved unanimously with my abstention to vote at the council.

- Case P5208 Vijaypal & Kristen Sarkaria-1635 Woodland Avenue, Block 415 Lot 4C.1

Applicant proposes to Demolish all existing structures and Construct 3 New Single Family Homes. The property is in the RAA zone which is 40,000sf lots which is conforming. The proposal depends on the extension of the sanitary sewer main into the new Cul-de-sac. Applicant has tested the road bed in 4 core samples 5-1/2 to 6 inches in depth and it can handle the emergency vehicles. Applicant has Middlesex County Approval as well as Edison Fire official letter of approval. Since this was a continuation of an earlier meeting I was advised by the attorney to abstain and the application was approved with a 7-1 vote with my abstention.

-Case P15- 2018 Shah & Bhingarde- 1943 and 1949 Lincoln Highway Block 104-T Lot 4A.5/3.E7
Proposal for a Montessori School & Playground. Hours of operation are 830 Am to 615 PM with the peak times 830 to 915 drop off and 245 to 315PM pick up. Twenty five students maximum with 8 morning students Hank Bignell said that the site is as safe as possible with the designated drop of and pick up areas. Any large events such as graduation will be held off site. September - June is the regular school year with July and August Summer Camp for 15 children. The application was approved 8-0 with my abstention since this was a continuation of a previous meeting.

-Case P5212 Federal Business Center - King Georges Road Block 390 A, Lot 1A.4
Proposal to Create a Minor Subdivision from 1 lot into 2 for future commercial development . No Variances were required. Application to grant the subdivision was unanimous.

-Case P1-2019 Federal Business Center 165 Fieldcrest Avenue, Block 390.E, Lot 4
Proposal to add an additional 18 parking spaces to accommodate a new tenant. Largest tenant in the building wants to bank this space in case they have new employees. Application was approved unanimously.

Case P-7-2019 William Grant & Sons-130 Fieldcrest Avenue, Block 390.D Lot 10.A
Proposal to add a 1,225 square foot electrical room to the existing building. No Variance were required. Proposal was unanimously approved

Case P3-2019Factory Direct Enterprises (Ashley Furniture) 3025 Woodbridge Avenue Block 795.D Lot 22.13
Proposal to add a 26,920 Sf Mezzanine and 863 Sf to the footprint (**27,783 Total**) and additional loading spaces and parking and construct solar energy system over truck parking.
Asked for a waiver from council on sidewalk because here is no sidewalk currently in this area.
Application was unanimously approved

Case P4-2019 General Electric International199-219 Lafayette Avenue Block 690 Lot 35.01
Proposal to construct car port canopies with solar arrays proposed atop parking deck at the Menlo Park Mall, it is on the northwest side of the mall behind Nordstrom's on the top level The High Efficient Solar Arrays will produce 630 Kilowatts of electricity, about 10% of overall mall demand. There will be an array of 1,836 panels . GE did the presentation on Behalf of the Simon Property Center Associates. The MLUL has been revised to include solar arrays fundamentally serve the public good and are an inherently beneficial use. The application was unanimously approved.

Resolution R.178-032019 Block 546-1, Lot 37 - 1696 Oak Tree Road was sent to Planner Hank Bignell to study the area to see if it is as area in need of redevelopment.

Respectfully Submitted Councilman Len Sendelsky

Councilmember Patil, 1635 Woodland what is the lot size and FAR.

Councilmember Sendelsky, all in compliance no variances were needed.

**17. UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:**

O.2043-2019 No comments were made.

18. DISCUSSION ITEMS:

Council President Gomez:

a. None

Councilmember Coyle:

a. He asked Ms. Ruane & Mr. O'Brien to look into Grandview Avenue pavement issue the location from Metuchen to Edison what is the time line?

Mr. O'Brien will look at prior to going out to bid on paving projects.

b. Parks, he would like a time line and when will summer help start.

Mr. Russomanno explained we are doing the normal spring cleanup right now.

Ms. Ruane, we are in the process of accepting application.

He feels we need more help we should put staff on earlier.

Council President Gomez, its temporary employment only for ten weeks.

- c. He asked if Liddle Avenue can be widened, his concern is school traffic once the units are completed.

Mr. O'Brien will do an evaluation on Liddle Avenue.

Councilmember Diehl:

- a. Update on deer report will be on Monday May 6th meeting.

- b. Abbott Ct. / Calvert Avenue Swale – update?

Mr. O'Brien reported two thirds have been received a 2nd letter who have not signed off on easements he will follow up with Mr. Northgrave.

- c. Committee of the Whole meetings are scheduled for May 14th and May 23rd here at 7pm. He explained we start the process of investigation.

Councilmember Joshi:

- a. Township Calendar had some errors on bulk pick up.

Mr. Russomanno, it has been corrected new calendar is on the website.

Councilmember Lombardi:

- a. Thanked administration asked about the traffic study

Councilmember Patil:

- a. Tree Bonds, what is the process.

Mr. O'Brien explained Tree Bonds are for two years, then the trees are inspected we recommend to release, same process as Maintenance Bonds.

He asked if we can establish a process, a letter to residents in the two year period.

- b. Abandoned Properties.

Ms. Ruane, she will have Mr. Elliot report at next meeting since he is not present tonight.

Councilmember Sendelsky:

- a. He asked for an update on Brookhill.

Mr. Northgrave, we contacted the construction department they issued them a notice which they have a twenty day period to fix.

- b. Parks, Swales Park

Mr. O'Brien, there are eight parks we are hoping to get done by Memorial Day.

- c. He is looking forward to Suez meeting on May 2nd for the financial information .He is not ready to vote on this there is still more information needed.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl seconded by Councilmember Patil and duly carried, the Minutes of the Combined Meeting of March 17, 2019 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Gomez, the Public Hearing is for the purpose of giving a clear picture to the resident and giving them the opportunity to get all the information. Our residents are counting on us to give them the correction information, not to steer them approach to this deal. Our next Public Hearing is on May 2nd at 6:00pm here in Council Chambers.

**UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinances, which were introduced by Title on April 10, 2019 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.2043-2019 ORDINANCE AUTHORIZING THE MAYOR, OR HIS
AUTHORIZED DESIGNEE, TO EXECUTE THE LEASE
AGREEMENT BETWEEN THE TOWNSHP AND EDISON
WETLANDS ASSOCIATION, INC. ALLOWING FOR THE
ORGANIZATION’S USE OF THE LEASED PROPERTY.**

(The above Ordinance O.2043-2019 can be found in its entirety in Ordinance Book #27.)

Council President Gomez declared the Public Hearing opened for O.2043-2019.

None

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

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

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

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Gomez opened the meeting to the public for comments on Proposed Resolutions R.196-042019 through R.219-042019.

Anthony DeAmorin, 15 Rodak Circle, Resolution R.205-042019 asked why are we charging another government entity?

Mr. Northgrave we are only covering what the Township cost are.

Richard Brescher, 868 Grove Avenue, Resolution R.205-042019 the Board of Education was asked to take this Class 3 because it is an outside vendor.

Mr. Northgrave this is required by the Middlesex County Prosecutor office, this is not only for Board of Education.

Mr. Brescher, it is not BOE to provide police officers that why Edison is paying 7 %.

Ms. Ruane explained we will never bring it in house. Board of Education did not want to hire our police officers. Any off Duty Police work we do not administer, we cannot.

Mr. Northgrave, they are retired officers they cannot be employees of the Township they are nothing different than a vendor no benefits.

Elizabeth Conway, 20 Netherwood Circle, what is the difference who pays for it, our children should be priority to be protected. Edison Police Department Officers are in our High Schools now.

Bruce Diamond, 74 Calvert Avenue, East, Resolution R. 209-042019 everyone clap for Marlana she is wonderful thank you for all your help.

Lois Wolke, 10 Peake Road, Resolution R.209-042019 its always a pleasure doing business with you. Resolution R. 205-042019 everyone wants to protect the children. I don’t agree with not having control over Board of Education Budget. They never seem to cut their budget. No one is arguing about the children being protected. I heard the Board of Education is suing the Township that isn’t considered cooperation.

Esther Nemitz, 162B Fay Street, she is happy with getting a two year appointment it makes it easier to make plans thank you for the correction and support of the Green team.

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

The following Resolutions R.196-042019 through R.219-042019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.196-042019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING April 18, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through April 18, 2019..

FUND	AMOUNT
Current	\$15,785,963.04
Affordable Housing	39,688.82
Capital	8,160.72
Cash Performance	3,760.80
CDBG	38,202.37
Developers Escrow	35,683.62
Dog (Animal Control)	11,350.32
Federal Forfeited	0.00
Grant Funds	15,974.65
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	557,646.13
Sanitation Fund	302,483.14
Self Insurance	0.00
Sewer Utility	155,700.93
Tax Sale Redemption	195,205.27
Tree Fund	0.00
Tree Planting	0.00
Trust	162,089.95
Edison Landfill Closure Trust	0.00
TOTAL	\$17,311,909.76

/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.197-042019

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 **\$121,557.95**.

RESOLUTION R.198-042019

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 **\$1,434.05**.

RESOLUTION R.199-042019

**Explanation: A Municipal Resolution Supporting the Official
Continuation of the Township of Edison Sustainable Jersey Green Team**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Edison strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Township hereby acknowledges that the residents of Edison desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Township wished to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Township is pledged to educate itself and community members as to green/sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, to focus attention and effort within Edison on matters of sustainability, the Township wished to pursue local initiatives and actions that will led to Sustainable Jersey Municipal Certification, as well as to the subsequent and continuing investigation, development and implementation of green and sustainable initiatives, activities, projects and achievements, for the environmental and economic benefit of the community; and

WHEREAS, the Edison Sustainable Jersey Green Team has played a dynamic role in such green/sustainable activities as the continuing development, marketing and presentation of the Annual ESJGT/ECC/ETEC Edison Earth Day Celebration, as well as many other green/sustainable efforts, initiatives and partnerships (e.g.: ESJGT PSET JPSHS SJSJP Life Learning Greenhouse); and

WHEREAS, in an attempt to develop and maintain a dynamic focus upon local Green and Sustainable issues, the Township of Edison established a Sustainable Jersey Green Team Advisory Committee, as required for by Sustainable Jersey regulations for the Township of Edison to apply for and achieve Sustainable Jersey Certification; and

NOW, THEREFORE, BE IT RESOLVED, having previously established the Township of Edison Sustainable Jersey Green Team Advisory Committee of twelve (12) members, consisting of residents and employees of the Township of Edison, the Municipal Council of the Township of Edison had previously re-appointed them, with a term that ended December 31, 2018.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, per established practice, that we do hereby authorize the official continuation of the Township of Edison Sustainable Jersey Green Team, at a regularly-scheduled Public Meeting, composed of the thirteen (13) below-cited members, whose appointed terms will end December 31, 2020, subject to re-appointment:

Chris Mazauskas ESJGT Co-Founder/Coordinator, Original ESJGT Member, ESJGT/SENSE Member, ETEC Technical Support, **Jay Elliot** ESJGT Co-Founder, Original ESJGT Member, Edison Clean Communities Coordinator

Walter Stochel Original ESJGT Member, Edison Open Space Advisory Committee Chairperson, NJ Jefferson Awardee (Environment), Edison Greenways Group, Edison Community Volunteer/Advocate

Robert Takash Original ESJGT Member, Edison Greenways Group, Edison Open Space Advisory Committee Member

Inder Soni Original ESJGT Member, Edison Community Volunteer

Cathy Biondi REHS EDHHS, Annual Edison Earth Day Volunteer Coordinator, MC Health and Wellness Council Member

Esther Barcun Founder/Coordinator ESJGT SENSE, Retired Social Worker/LCSW

Abha Devarajan, Edison Community Volunteer, Professional Bio-Chemist

Esther Nemitz Clara Barton NPP Chairperson , Edison Open Space Advisory Committee Member, Edison Fair Housing Board

Maria Orchid Clara Barton NPP Committee Member, James Monroe MS Special Education Parent Advisory Committee Member, Edison Community Volunteer

Anthony Russomanno Director, Department of Public Works

Brian Piccirillo Design Engineer, Department of Planning and Engineering

Lester Jones Township of Edison Health Official

RESOLUTION R.200-042019

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on August 29,2018 a Construction Permit fee, check #7079, permit #2018-3415, was posted in the total amount of \$662.00 by the contractor, Four Star Electric located at 681 Grove Street, Rahway, NJ 07065; and

WHEREAS, the application was submitted for a Generator Installation at 265 W. Shirley Ave. by the hired contractor; Four Star Electric, who did not make known to the Construction Code Enforcement Division that the homeowner, Joseph Contrino, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$650.00, derived from the \$662.00 total construction permit fee less the \$12.00 DCA fee, be refunded to the contractor Four Star Electric; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-3415, in the amount of \$650.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$650.00 on construction permit fees posted by Four Star Electric for 265 W. Shirley Ave. 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 \$650.00 from the Refund of Revenue Fund to the Contractor, Four Star Electric having offices at 681 Grove Street, Rahway, NJ 07065.

RESOLUTION R.201-042019

EXPLANATION: This resolution provides refund of the construction permit fee posted for a commercial construction permit. The work was never performed at 36 Meridian Rd.

WHEREAS, on October 24, 2018, a Construction plan review fee, Control # 140800, was posted in the total amount of \$9230.82.00 by the contractor, HBNI Development LLC having offices at 22 Parker Rd. Edison, NJ 08820; and

WHEREAS, the application was submitted for a 1st and 2nd floor addition, at 36 Meridian Rd by the hired contractor;

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled and no work is being performed, therefore appropriate that the municipal permit fee in the amount of \$9230.82, be refunded to the contractor HBNI Development LLC.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Control #140800, in the amount of \$9230.82 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$9230.82 on construction permit fees posted by HBNI Development LLC. for 36 Meridian 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 \$9230.82 from the Refund of Revenue Fund to the Contractor, HBNI Development offices at 22 Parker Rd. Edison, NJ 08820.

RESOLUTION R.202-042019

RESOLUTION AUTHORIZING A REIMBURSEMENT TO MADHURI SAMEERA FOR THE 3 YEAR OLD PRE-SCHOOL PROGRAM

WHEREAS Madhuri Sameera made a payment for her child Akshara Chavva to attend the 3 year old Pre-school Program;

WHEREAS Akshara Chavva is not ready for Pre-school.

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 \$121.00 to Madhuri Sameera, 2333 Strawberry Ct., Edison, NJ 08817, which amount represents the cost of the 3 year old Pre-school Program per month.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$121.00 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.203-042019

RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT VOLLEYBALL TEAMS FOR ENDING THE SEASON IN GOOD STANDING

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

WHEREAS, the ordinance further states that a “Good Standing Refund” in the amount of \$75.00 shall be made payable to each volleyball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$450.00 have been certified to be available in the Township Trust Account, Number T-13-00-0000-000-014.

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

<u>REFUND NAME</u>	<u>TEAM</u>
Justin Jeganathan	Fusion
Jignesh Panariya	Maples Sports Club (MSC)
Kumar Srinivasan	Falcons
Snehal Pandya	EM Spikers
Jignesh Panariya	MSCII
Srinivasan Bhaktavachalam	Edison Bulls

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

CERTIFICATION

I hereby certify that funds in the amount of \$450.00 are available for the above teams in Account No.T-13-00-1000-000-048.

RESOLUTION R.204-042019

RESOLUTION AUTHORIZING A REIMBURSEMENT TO GREGORIA ROSARIO FOR THE ABC & YAP PROGRAMS

WHEREAS Gregoria Rosario, in partnership with Community Child Care Solutions, made payment in the amount of \$284.32 for her children Jenely Ciprian and Hilandy Ciprian's participation in the ABC and Yap Programs at Benjamin Franklin Elementary School and Herbert Hoover Middle School; and

WHEREAS Community Child Care Solutions submitted a monthly payment for the full amount due for Jenely Ciprian and Hilandy Ciprian's participation in the ABC and YAP Programs; thereby causing an overpayment by Gregoria Rosario.

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 \$284.32 to Gregoria Rosario, 34 Vista Dr., Edison, NJ 08817, which amount represents the overpayment for the ABC and YAP programs.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$284.32 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.205-042019

EXPLANATION: A Resolution authorizing the execution of a Shared Services Agreement with the Edison Township Board of Education, for the provision of security services through the Special Law Enforcement Officer III program, effective immediately.

WHEREAS, the Township of Edison (the "**Township**") is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* ("**Shared Services Act**") to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, in the spirit of mutual cooperation, the Township has the capacity to and seeks to provide security services through the Special Law Enforcement Officer III ("**SLEO III**") program, to the Edison Township Board of Education, (the "**Board**" and collectively, with the Township, the "**Parties**") for the purposes of employing certain officers specifically to provide security in schools and promoting efficiency in government; and

WHEREAS, in furtherance, the Parties desire to enter a Shared Services Agreement ("**Agreement**," in the form substantially similar to that attached hereto as Exhibit A) pursuant to the Shared Services Act to establish the terms of the Township's provision of security services through the SLEO III program; and

WHEREAS, the Board adopted a resolution approving the Agreement at its public meeting on April 15, 2019; and

WHEREAS, the Agreement provides for and shall be subject to cancellation by either Party upon thirty (30) days' written notice; and

WHEREAS, the Municipal Council of the Township ("**Municipal Council**") seeks to hereby authorize the Township's entering and execution of the Agreement.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The form of the Agreement is hereby approved, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion and in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and the Municipal Council hereby authorizes and directs the Mayor to execute the Agreement on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act, as well as the Business Administrator for the Board.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.206-042019

RESOLUTION TO APPLY FOR THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM MAY 20th – June 2, 2019.

WHEREAS, there were 148 vehicle fatalities in New Jersey in 2016 in which the victim was not wearing a seatbelt; and

WHEREAS, a large percentage of the motor vehicle fatalities could have been avoided by wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 14,500 lives were saved by safety belt usage nationally in 2016; and

WHEREAS, Edison Township would participate in the nationwide Click It or Ticket seat belt mobilization from May 20th – June 2, 2019 in an effort to raise awareness and increase seat belt usage from 94.47% to 95.5% through a combination of enforcement and education; and

WHEREAS, a further increase in seat belt usage in Edison and the State of New Jersey will save lives on our roadways;

THEREFORE, BE IT RESOLVED that the Township of Edison declares it's request to apply for the available grant funding of \$5,500 to support the *Click It or Ticket* safety belt mobilization program from May 20th – June 2, 2019.

RESOLUTION R.207-042019

2020 Pedestrian Safety Enforcement and Education Grant Application and Initiative

WHEREAS, the Division of Police wishes to apply for grant funding not to exceed the amount of \$16,500.00 to provide additional manpower hours to educate the public in pedestrian laws and increased enforcement of traffic laws; and

WHEREAS, in 2016, almost 6,000 pedestrians were killed in traffic accidents in the United States and more than 66,000 pedestrians were injured; and

WHEREAS, between 2009 – 2016, over 20 pedestrians have lost their lives on Edison roadways, and

WHEREAS, an enforcement crackdown is planned to combat traffic violations related to pedestrian laws; and

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

WHEREAS; the project will involve increased enforcement and education from July 1, 2019 through May 31, 2020; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the grant application and participation in *The Pedestrian Safety Grant Program FY 2020* from July 1, 2019 through May 31, 2020 and pledges to increase awareness of pedestrian safety laws.

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

RESOLUTION R.208-042019

Federal Highway Safety Fund 2020 Grant Application and Initiative

WHEREAS, the Division of Police wishes to apply for grant funding not to exceed \$16,500.00 to provide additional manpower hours for speed enforcement as well as to combat distracted driving; and

WHEREAS, an enforcement crackdown is planned to reduce violations related to speeding and distracted driver's to reduce the number of crashes and potential fatalities related to these offenses; and

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

WHEREAS; the project will involve increased enforcement from October 1, 2019 through September 30, 2020; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the grant application and participation in the Federal Highway Safety Fund Grant Program 2020.

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

RESOLUTION R.209-042019

WHEREAS, it is the duty of the Municipal Council to appoint a Deputy Municipal Clerk for the Township of Edison; and

WHEREAS, Marlena McCray currently is the Deputy Clerk in the Clerk's office and has already completed four of the courses toward her Registered Municipal Clerk's certificate; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that Marlena McCray be re-appointed to the position of Deputy Municipal Clerk of the Township of Edison, term to be effective April 24, 2019 through April 24, 2022.

RESOLUTION R.210-042019

RESOLUTION AWARDING CONTRACT TO CBIZ, INC. FOR INSURANCE BROKER

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on February 13, 2019, for RFP 19-01-INSURANCE BROKER with a bid opening date of March 1, 2019 and two (2) proposals were received; and

WHEREAS, after review and evaluation of said bids it has been recommended by the Township that the contract be awarded to CBIZ, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 at a price of \$2.98 per employee per month for this two year contract; and

WHEREAS, the total amount of this two year contract, not to exceed \$100,000.00 (\$50,000.00 per year) 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. All proposals have been reviewed, and the proposal as submitted by CBIZ, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 is determined to be the lowest, responsible, responsive proposal for an INSURANCE BROKER.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00 (\$50,000.00 per year), and any other necessary documents, with CBIZ, INC. in accordance with their proposal.

RESOLUTION R.211-042019

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO W.B. MASON COMPANY INC.
FOR OFFICE SUPPLIES**

WHEREAS, bids were received by the Township of Edison on February 15, 2019 for Public Bid No. 19-12-04-Office Supplies for the Township of Edison; and

WHEREAS, W.B. MASON COMPANY INC., 21 Commerce Dr., Cranbury, NJ 08512, submitted the sole, legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$80,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by W.B. MASON COMPANY INC., 21 Commerce Dr., Cranbury, NJ 08512 for Office Supplies for the Township of Edison, is determined to be the sole legally responsible, responsive bid for various items as listed on the spreadsheet and stated herein.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$80,000.00 for the first year and any succeeding renewal year subject to and contingent upon appropriation of sufficient funds for each renewal year and any other necessary documents, with W.B. MASON COMPANY INC. as described herein.

RESOLUTION R.212-042019

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT
STRATEGY GROUP FOR FINANCIAL MANAGEMENT SERVICES**

WHEREAS, the Township of Edison (the Township) has determined that it is in its best interests and those of the Township residents to engage a financial management services firm to support the Township's Chief Financial Officer (CFO) and to ensure proper financial reporting, and the Township is authorized pursuant by the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("Local Contracts Law") to contract for "professional services" as it may require; and

WHEREAS, Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702 has submitted a proposal to provide such services including, but not limited to, the areas of public finance and municipal accounting, and has extensive staff and resources that may be utilized to support the Township's CFO; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Government Strategy Group for its Financial Management Services and seek to enter a contract with Government Strategy Group to provide for same; and

WHEREAS, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; 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; the total amount of this contract shall be in the amount of \$15,950.00 per month, payable in monthly installments, not to exceed \$191,400.00 for the one year contract; and

WHEREAS, prior to entering into a contract, Government Strategy Group, 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 Government Strategy Group from making any reportable contributions through the term of this one year contract; and

WHEREAS, funds for this contract in the amount not to exceed \$191,400.00 will be available in the Finance Department– Other Professional Services Account, subject to and contingent upon appropriation of sufficient funds in both the 2019 and 2020 budgets; 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 Township is hereby authorized to execute a contract and any other necessary documents, with Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702, in an amount not to exceed \$191,400.00 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.213-042019

RESOLUTION AUTHORIZING PAYMENT OF OUTSTANDING INVOICES FOR C-3 TECHNOLOGIES, LLC FOR THE YEAR 2018

WHEREAS, there is a need to pay outstanding invoices for C-3 TECHNOLOGIES, LLC, 6 Lakeview Court, North Brunswick, NJ 08902 for repairs on gas/diesel tanks and for compliance operator; and

WHEREAS, for the previous twelve months, the Township expended \$15,301.88 with C-3 TECHNOLOGIES, LLC., and the current outstanding invoices in the total amount of \$10,742.52 will make a combined total amount of \$26,044.40 in a twelve month period; and

WHEREAS, funds for this purchase, in the total amount not to exceed of \$10,742.52 are available in the Fuel & Lubricants-Maint of Other Equip Account, number 8-01-31-0460-000-026; and

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

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

WHEREAS, prior to contract/Purchase order, C-3 TECHNOLOGIES, 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 C-3 TECHNOLOGIES, 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. The Mayor, or his designee, is hereby authorized to pay the invoices in the amount of \$10,742.52 to C-3 TECHNOLOGIES, LLC,.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,742.52** are available for the above contract in Account No. 8-01-31-0460-000-026.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.214-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO WITMER PUBLIC SAFETY GROUP, INC. FOR THE FURNISHING OF FN FIREARMS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on March 29, 2019 for Public Bid No. 19-03-12-FN Firearms and Accessories for the Division of Police; and

WHEREAS, WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, submitted the lowest legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$150,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320 for FN Firearms and Accessories for the Division of Police is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$150,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with WITMER PUBLIC SAFETY GROUP, INC.

RESOLUTION R.215-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONTINENTAL FIRE & SAFETY, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$6,400.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$6,400.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CONTINENTAL FIRE & SAFETY, INC.

RESOLUTION R.216-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FIT-RITE UNIFORM CO., INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$100,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with FIT-RITE UNIFORM CO., INC.

RESOLUTION R.217-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO WITMER PUBLIC SAFETY GROUP, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$200,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with WITMER PUBLIC SAFETY GROUP, INC.

RESOLUTION R.218-042019

RESOLUTION AWARDING NON FAIR AND OPEN CONTRACT TO V-COMM, LLC FOR RADIO COMMUNICATION SYSTEM CONSULTANT

WHEREAS; Edison Township is in need of engineering communication system consulting services; and

WHEREAS; V-COMM, LLC has submitted a proposal to provide said services for a price not to exceed \$115,900.00; and

WHEREAS, funds in the amount of \$115,900.00 have been certified to be available in the Section 20 Costs Account, No. C-04-14-1872-490-000; and

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

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

WHEREAS, prior to entering into a contract V-COMM, 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 V-COMM, 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. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$115,900.00, and any other documents with V-COMM, LLC, 2540 US Highway 130, Ste. 101, Cranbury, NJ 08512 in accordance with the proposal.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$115,900.00** are available for the above contract in Account No. **C-04-14-1872-490-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.219-042019

EXPLANATION: This Resolution authorizes the Township to retain Dressel/Malikschnitt LLP to provide professional legal services to the Municipal Council in connection with the committee of the whole created pursuant to R.111-022019.

WHEREAS, the Municipal Council ("**Municipal Council**") of the Township of Edison ("**Township**") has determined that it is in its best interests and those of Township residents to engage legal counsel, and the Township is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* ("**Local Contracts Law**") to contract for "professional services" as it may require; and

WHEREAS, pursuant to R. 111-022019, adopted by the Municipal Council on February 27, 2019, a committee of the whole Municipal Council was established for the purpose of conducting an inquiry as to certain local election issues, pursuant to N.J.S.A. 40:69A-36, N.J.S.A. 40:69A-37 and N.J.S.A. 40:48-25; and

WHEREAS, the Municipal Council wishes to retain the services of Dressel/Malikschnitt LLP ("**Counsel**") to provides legal services related to such matters; and

WHEREAS, for these reasons the Municipal Council seeks to enter a contract for legal services with Counsel in accordance with the terms set forth in the Agreement of Retention ("**Retention Agreement**," a copy of which is attached hereto as Exhibit A) to provide for the representation of the Municipal Council as a committee of the whole pursuant to R.111-022019; and

WHEREAS, the Local Contracts Law, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "professional services" without public advertising for bids; and

WHEREAS, prior to the execution of the Retention Agreement, Counsel will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee of the Municipal Council in the previous year, and that an individual with a ten percent (10.0%) interest or larger in Counsel will be prohibited from making any reportable contributions through the term of the Retention Agreement, pursuant to N.J.S.A. 19:44A-20.5, *et seq.*; and

WHEREAS, the Retention Agreement is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, compensation for the professional legal services included under the Retention Agreement shall be rendered at the hourly rate of \$175.00 per hour, payable monthly, and as further set forth in the Retention Agreement not to exceed \$25,000; and

WHEREAS, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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 Municipal Council President is hereby authorized and directed to execute the Retention Agreement with Counsel for its representation of the Municipal Council in connection with the creation of a committee of the whole pursuant to R. 111-020219.
3. The Retention Agreement is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
4. A certificate showing the availability of funds for the Retention Agreement authorized hereby will be provided by the Chief Financial Officer of the Township and will be made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2019 calendar year.
5. No payments in excess of any amounts set forth in the Retention Agreement will be approved, unless such services or expenditures are negotiated and agreed upon in advance of service delivery.
6. Any modification to the Retention Agreement shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
7. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township a brief notice, stating the nature, duration, service and amount of the Retention Agreement authorized for execution herein, which notice shall state that a copy of this Resolution and the Retention Agreement are on file and available for public inspection in the office of the Township Clerk.
8. The Retention Agreement shall, for all purposes, be deemed a New Jersey contract and the provisions of the Retention Agreement shall be governed and interpreted according to the laws of the State of New Jersey.
9. This Resolution shall take effect immediately.

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

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Gomez opened the meeting for public comment.

Mr. DeAmorin, 15 Rodak Circle, at the last Zoning Board meeting the President he felt was disrespectful and had a temper because he was streaming live on Face Book. She said we cannot film and record during that meeting. He feels his rights were violated.

Councilmember Joshi, this has come up on other boards, is there a general status against social media. He knows Metuchen records Facebook Live during their public meeting. He feels people can make a sound decision, instead of news articles that are blantly false. He would like to see Facebook Live, we need to do soon.

Mr. Northgrave said he would not stop anyone as long as it didn't interfere with the meeting you have the right to everything we say here.

Councilmember Coyle agrees with Sam although through our TV and Website we do an excellent job Facebook we can get more, he will support.

Councilmember Patil asked if we can provide closed captions to help residents.

Maria Orchid, 83 Jefferson Avenue, she thanked everyone who participated with Springtime in Clara Barton art work. The winners are on display at the coffee shop. If you are interested in participating in the May 4th Yard Sale visit the website. She asked about the noise ordinance between residential and commercial.

Mr. Northgrave he will check on our noise ordinance.

Councilmember Lombardi said it is customary for the Council President to plant a tree on Earth Day.

Walt Shneer, Park Way, asked if we can put signs up at Swale Park for no littering and maybe a fence around the park to avoid vehicles riding through.

Mr. Russomanno said he will have signs made also go out to measure for curbing or fencing to see what the cost would be.

Council President Gomez said he will ask Police to do some enforcement.

Julian Zimmet, 17 Stiles Road, regarding Suez I don't know enough to comment on revenue however, inflation is inflation. He asked Councilmember Diehl what a teachers' salary was in 1979. He said when he first moved to Edison his property taxes were \$800.00 now they are \$8,000.00. Councilmember Coyle, cost go up in forty years.

Councilmember Diehl, replied \$7,600.00

Elizabeth Conway, Netherwood Circle, asked when will the little park on Beatrice Parkway be completed. There is a large Pot hole on Wakefield.

Mr. O'Brien reported there are Eight Parks being renovated at the same time we are hoping to be done by Memorial Day weekend.

Lois Wolke, 10 Peake Road, regarding the comment on the cable company, Mr. Wolke worked on that issue for years and unfortunately nothing can be done. She is happy to see the Committee of the Whole moving forward.

Councilmember Diehl added we spent years of hearing on Cable Vision .

Carol Brodosky, she is an Educator, we all need to pull together for our children. I do know in a time of crisis our police will protect our children.

Bruce Diamond, 74 Calvert Avenue, will the Committee of the Whole be televised. Mr. Bignell on the Planning Board is doing a hell of a job, Heyer & Guel never made a presentation like he does. He asked the attorney how can Councilmembers who didn't vote for the budget vote on expenses. Councilmember Coyle and Patil didn't vote for the budget.

Mr. Northgrave explained they are allowed to vote on expenses.

Councilmember Patil said the budget is for future spending.

Mr. Diamond, all politics aside you are all up there for me, not future to serve us.

Esther Nemitz, On May 14th the Library Board meeting is moved to the Edison Room. She asked for an update on the Planting in Clara Barton.

Ms. Ruane said we are going in a different direction.

Councilmember Coyle added a full plan is being prepared by Mr. O'Brien sent experts out there. We also get free flowers to repurpose.

Ms. Ruane, the pots should be in within the next couple of weeks.

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

Having no further business to discuss, on a motion made by Councilmember Lombardi, seconded by Councilmember Diehl the meeting was adjourned at 8:38 p.m.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk