

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, March 13, 2019
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. 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. Worksession Meeting of February 25, 2019
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution Award of Contract for Public Bid No.19-02-10 Maintenance and Repair of Office Equipment for the Township (not to exceed \$50,000.00) (Resolution R.143-032019)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 7, 2019 (Resolution R.129-032019)
 - b. Resolution authorizing refund in the amount of \$309,244.97for redemption of tax sale certificates (Resolution R.130-032019)
 - c. Resolution authorizing refund of tax overpayments, totaling \$24,251.34 (Resolution R.131-032019)
 - d. Temporary Budget Appropriation (Resolution R.132-032019)
9. **FROM THE DEPARTMENT OF LAW:**
 - a. Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 2883, effective for the period commencing January 1, 2018 and ending December 31, 2022. (Resolution R.141-032019)
 - b. Resolution authorizing the entering of a Shared Elevator Safety Subcode Service Agreement with the Township of Woodbridge, for the sharing of inspection and permitting service related to elevator safety for the residents of both Townships. (Resolution R.142-032019)
 - c. Ordinance amending the Township Code Chapter 14, "Building and Construction," section 14-2, "Site Improvement Permit," to exempt residential

construction from soil testing requirements where no underground oil tank or related contamination is reported. (Ordinance O. 2040-2019)

10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

- a. Resolutions provides for refund of residential construction permit fee (Resolution R.139-032019 and R.140-032019)

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**

- a. Resolutions Award of Contract for Public Bid No. 18-03-08R Materials (3 vendors - \$46,000.00) (Resolution R.135-032019 through R.137-032019)
- b. Resolution releasing Street Opening Escrow (Resolution R.138-032019)

12. **FROM THE CHIEF OF FIRE:**

- a. Resolution Awarding Contract/Purchase Order for four (4)2019 Chevrolet Express 2500 Passenger Vans (\$101,604.80) (Resolution R.133-032019)
- b. Resolution Awarding a Contract/Purchase order for the repairs to Truck # 2 (\$5,859.00) (Resolution R.134-032019)

13. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

14. **DISCUSSION ITEMS:**

Council President Gomez

- a. None

Councilmember Coyle

- a. None

Councilmember Diehl

- a. None

Councilmember Joshi

- a. None

Councilmember Lombardi

- a. None

Councilmember Patil

- a. None

Councilmember Sendelsky

- a. None

15. **APPROVAL OF MINUTES:**

a. Worksession Meeting of February 25, 2019

16. **COUNCIL PRESIDENT'S REMARKS**

17. **NEW BUSINESS:**

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY,

O.2040-2019 ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 14, "BUILDING AND CONSTRUCTION," SECTION 14-2, "SITE IMPROVEMENT PERMIT," TO EXEMPT RESIDENTIAL CONSTRUCTION FROM SOIL TESTING REQUIREMENTS WHERE NO UNDERGROUND OIL TANK OR RELATED CONTAMINATION IS REPORTED.

18. **PUBLIC COMMENT ON THE RESOLUTIONS**

19. **PROPOSED RESOLUTIONS**

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

- R.129-032019 Resolution approving disbursements for the period ending March 7, 2019.
- R.130-032019 Resolution authorizing refund in the amount of \$309,244.97 for redemption of tax sale certificates.
- R.131-032019 Resolution authorizing refund of tax overpayments, totaling \$24,251.34.
- R.132-032019 Temporary Budget Appropriation
- R.133-032019 Resolution Awarding Contract/Purchase Order for four (4)2019 Chevrolet Express 2500 Passenger Vans to Mall Chevrolet in the amount of \$101,604.80
- R.134-032019 Resolution Awarding a Contract/Purchase order for the repairs to Truck # 2 to Campbell Supply Co.,LLC in the amount of \$5,859.00.
- R.135-032019 Resolution Award of Contract for Public Bid No. 18-03-08R Materials to Campbell Foundry, Co. in an amount not to exceed \$35,000.00.
- R.136-032019 Resolution Award of Contract for Public Bid No. 18-03-08R Materials to Chemung Supply Corporation in an amount not to exceed \$6,000.00.
- R.137-032019 Resolution Award of Contract for Public Bid No. 18-03-08R Materials to Ferguson Enterprises in an amount not to exceed \$5,000.00.
- R.138-032019 Resolution releasing Street Opening Escrow for Permit No. DEV-0026, Blk. 59.0, Lot 17, 29 Marshall Drive in the amount of \$1,200.00.
- R.139-032019 Resolution provides for refund of residential construction permit fee for Permit #2018-1187 for 44 Bradley Drive in the amount of \$360.00.

- R.140-032019 Resolutions provides for refund of residential construction permit fee for Permit #2019-0376 for 47 Rosewood Road in the amount of \$1,000.00.
- R.141-032019 Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 2883, effective for the period commencing January 1, 2018 and ending December 31, 2022.
- R.142-032019 Resolution authorizing the entering of a Shared Elevator Safety Subcode Service Agreement with the Township of Woodbridge, for the sharing of inspection and permitting service related to elevator safety for the residents of both Townships.
- R.143-032019 Resolution Award of Contract for Public Bid No.19-02-10 maintenance and Repair of Office Equipment for the Township to Ditto Copy Systems in amount not to exceed \$50,000.00.

20. **ORAL PETITIONS AND REMARKS**

21. **ADJOURNMENT**

ORDINANCE O.2040-2019

EXPLANATION: An Ordinance amending the Township Code Chapter 14, “Building and Construction,” section 14-2, “Site Improvement Permit,” to exempt residential construction from soil testing requirements where no underground oil tank or related contamination is reported.

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

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides rules, regulations and standards with respect to the modification of any site within the Township, pursuant to Chapter 14 of the Code; and

WHEREAS, the Township desires to amend Chapter 14-2 of the Code, entitled “Site Improvement Permit,” to exempt residential construction from soil testing requirements where no underground oil tank or related contamination is reported; and

WHEREAS, subsection 14-2.8 of the Code permits the Township Engineer to conduct certain inspections to ensure compliance with construction standards; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend Subchapter 14-2.8 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

14-2 SITE IMPROVEMENT PERMIT.

...

14-2.8 Inspection and Tests.

All site improvements and/or modifications shall be inspected during the time of their occurrence by the Township Engineer or a duly authorized representative. A set of approved plans relative to the work being done must be made available on site for inspection by any authorized Township official. No underground installation shall be covered or backfilled until inspected and approved. No provision of this section shall require soil testing for any residential construction of 500 square feet or less where no underground oil tank or associated contamination is reported. If backfilling or covering occurs prior to inspection, said installation must either be uncovered or excavated for inspection or inspected by some alternative means acceptable to the Township Engineer.

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

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

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

2. The Municipal Council hereby amends Chapter 14-2 of the Code, entitled "Site Improvement Permit" to read as follows:

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

14-2 SITE IMPROVEMENT PERMIT.

...

14-2.8 Inspection and Tests.

All site improvements and/or modifications shall be inspected during the time of their occurrence by the Township Engineer or a duly authorized representative. A set of approved plans relative to the work being done must be made available on site for inspection by any authorized Township official. No underground installation shall be covered or backfilled until inspected and approved. No provision of this section shall require soil testing for any residential construction of 500 square feet or less where no underground oil tank or associated contamination is reported. If backfilling or covering occurs prior to inspection, said installation must either be uncovered or excavated for inspection or inspected by some alternative means acceptable to the Township Engineer.

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 14 of the Code shall remain unchanged and have full force and legal effect.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

RESOLUTION R.129-032019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 7, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 7, 2019.

FUND	AMOUNT
Current	\$14,990,591.59
Affordable Housing	0.00
Capital	481,529.27
Cash Performance	326,475.54
CDBG	6,920.62
Developers Escrow	31,048.92
Dog (Animal Control)	5,223.81
Federal Forfeited	0.00
Grant Funds	896.16
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	593,745.43
Sanitation Fund	378,971.20
Self Insurance	0.00
Sewer Utility	3,189,543.37
Tax Sale Redemption	281,360.37
Tree Fund	0.00
Tree Planting	0.00
Trust	194,911.98
Edison Landfill Closure Trust	0.00
TOTAL	\$20,481,218.26

/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.130-032019

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 **\$309,244.97**.

RESOLUTION R.131-032019

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 **\$24,251.34**.

RESOLUTION R.132-032019

TEMPORARY BUDGET APPROPRIATION

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

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

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

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

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Disposal Fees	<u>500,000.00</u>
TOTAL SANITATION FUND	<u><u>500,000.00</u></u>

RESOLUTION R.133-032019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MALL CHEVROLET FOR THE PURCHASE OF FOUR (4) 2019 CHEVROLET EXPRESS 2500 PASSENGER VANS FOR THE DIVISION OF FIRE

WHEREAS, there is a need to purchase four (4) Chevrolet Express 2500 12 Passenger Vans for the Division of Fire; and

WHEREAS, MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002 has been awarded State Contract Number 88229 under T-2006 - Vehicles, Passenger Vans, 8/12/15 Passenger; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$101,604.80 (\$25,401.20 per vehicle); and

WHEREAS, funds in the amount of \$101,604.80 have been certified to be available in the Tactical Cargo Vans for Volunteer Fire Account, Number C-04-18-2028-106-000; 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$101,604.80 and any other necessary documents, with MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002, 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. 88229 under T-2006.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$101,604.80** are available in account **C-04-18-2028-106-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.134-032019

**RESOLUTION AWARDING A CONTRACT/PURCHASE ORDER TO CAMPBELL SUPPLY CO., LLC
FOR REPAIRS TO TRUCK #2 FOR THE DIVISION OF FIRE**

WHEREAS, Fire Truck #2 needed repairs to the fuel tank and outrigger controls; and

WHEREAS, the current contractual vendor, Absolute Fire, who was awarded Public Bid No. 17-10-02RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repair; and

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

WHEREAS, a quote was solicited from CAMPBELL SUPPLY CO., LLC, by the Division of Fire for the emergency vehicle repairs to Truck #2; and

WHEREAS, CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, submitted a quote in the amount not to exceed \$5,859.00; and

WHEREAS, for the prior twelve months, the Township expended \$27,148.43 with CAMPBELL SUPPLY CO., LLC. and this repair in the amount of \$5,859.00 will make a combined total amount of \$33,007.43 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, CAMPBELL SUPPLY CO., LLC., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit CAMPBELL SUPPLY CO., LLC. from making any reportable contributions through the term of the contract; 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 \$5,859.00 have been certified to be available in the Fire Fighting Maintenance of Motor Vehicle, Account Number 9-01-25-0265-001-025; 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 quote submitted by CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831 for the emergency vehicle repairs to Truck #2 for the Division of Fire, is determined to be in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,859.00, and any other necessary documents, with CAMPBELL SUPPLY CO., LLC as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,859.00** are available for the above in Account No. **9-01-25-0265-001-025**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.135-032019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CAMPBELL FOUNDRY CO.
MATERIALS FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on August, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, CAMPBELL FOUNDRY, CO., 800 Bergen St., Harrison, NJ 07029, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$35,000.00, 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:

3. All bids have been reviewed, and the bid by CAMPBELL FOUNDRY, CO., 800 Bergen St., Harrison, NJ 07029 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$35,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CAMPBELL FOUNDRY, CO. as described herein.

RESOLUTION R.136-032019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHEMUNG SUPPLY CORP.
FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on January 30, 2019 for Public Bid No. 18-03-08R-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, CHEMUNG SUPPLY CORP., PO BOX 527, ELMIRA, NY 14902, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$6,000.00, 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 CHEMUNG SUPPLY CORP., PO BOX 527, ELMIRA, NY 14902 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$6,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CHEMUNG SUPPLY CORP. as described herein.

RESOLUTION R.137-032019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FERGUSON ENTERPRISES, INC. FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on January 30, 2019 for Public Bid No. 18-03-08R-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, FERGUSON ENTERPRISES, INC., 190 North Oberlin Ave., Lakewood, NJ 08701, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,000.00, 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 by FERGUSON ENTERPRISES, INC., 190 North Oberlin Ave., Lakewood, NJ 08701 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with FERGUSON ENTERPRISES, INC as described herein.

RESOLUTION R.138-032019

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 STO0000302, to the following:

Permit Number: DEV-0026

Opening Location: 29 Marshall Dr

Block/Lot: 59.0 / 17

Applicant's Name & Address:

**AMERICAN RESIDENTIAL SERVICES, LLC
A.J.PERRI
1162 PINE BROOK RD
TINTON FALLS, NJ -07724**

Initial Deposit Date: 07/30/2018

Deposit Amount: \$1200.00

Paid by & refunded to:

**AMERICAN RESIDENTIAL SERVICES, LLC
A.J.PERRI # 8802
1162 PINE BROOK RD
TINTON FALLS, NJ -07724**

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.139-032019

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

WHEREAS, on March 23, 2018 , a Construction Permit fee, check #25070, permit #2018-1187, was posted in the total amount of \$469.00 by the contractor, Momentum Solar, having offices at 325 High Street, Metuchen, NJ 08837 ; and

WHEREAS, the application was submitted for a Solar Installation at 44 Bradley Drive, by the hired contractor, Momentum Solar;

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 \$360.00, derived from the \$469.00 total construction permit fee less the \$19.00 DCA fee, and less the 20% plan review fee of \$90.00 be refunded to the contractor Momentum Solar.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-1187, in the amount of \$360.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$360.00 on construction permit fees posted by Momentum Solar for 44 Bradley Dr. 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 \$360.00 from the Refund of Revenue Fund to the Contractor, Momentum Solar, 325 High Street, Metuchen, NJ 08837.

RESOLUTION R.140-032019

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The fee was calculated incorrectly.

WHEREAS, on January 29,2019 , a Construction Permit fee, check #203, permit #2019-0376, was posted in the total amount of \$2259.00 by the contractor, Jayadit Builders LLC., having offices at 47 Rosewood Road, Edison, NJ 08817 ; and

WHEREAS, the application was submitted for an interior renovation at 17 Ash Road, by the hired contractor; Jayadit Builders LLC;

WHEREAS, appropriate documents have been submitted to the Township indicating that the fee was misread therefore appropriate that the municipal permit fee in the amount of \$1,000.00 be refunded to the contractor Jayadit Builders LLC.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2019-0376, in the amount of \$1,000.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$1,000.00 on construction permit fees posted by Jayadit Builders LLC. for 17 Ash 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 \$1,000.00 from the Refund of Revenue Fund to the Contractor, Jayadit Builders LLC., having offices at 47 Rosewood Road, Edison, NJ 08817.

RESOLUTION R.141-032019

EXPLANATION: A Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 2883, effective for the period commencing January 1, 2018 and ending December 31, 2022.

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

WHEREAS, the Township and the International Association of Fire Fighters Local No. 2883 (the “**Association**,” and collectively with the Township, the “**Parties**”) have negotiated a Memorandum of Agreement (“**MOA**”) with respect to the terms of a successor collective bargaining agreement between the Township and the Association; and

WHEREAS, the MOA sets forth key terms between the Parties regarding wages, medical benefits, leave without pay, salary guide and educational benefits; and

WHEREAS, the Parties desire to execute the MOA and implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement; and

WHEREAS, the MOA is subject to ratification by the Parties and the Township desires to provide such ratification, and authorize execution of the MOA and implementation of its terms, pending finalization of the successor collective bargaining agreement

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the Mayor to execute the Memorandum of Agreement, in a form similar to that attached hereto as Exhibit A, and to implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement between the Parties.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
5. This Resolution shall take effect as provided by law.

RESOLUTION R.142-032019

EXPLANATION: A Resolution authorizing the entering of a Shared Elevator Safety Subcode Service Agreement with the Township of Woodbridge, for the sharing of inspection and permitting service related to elevator safety for the residents of both Townships.

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 share elevator safety subcode services with the Township of Woodbridge, (“**Woodbridge**” and collectively, with the Township, the “**Parties**”), as it has been determined that such services can be more efficiently provided for both Township and Woodbridge residents; and

WHEREAS, in furtherance of this objective, 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 shared sewer lines; 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, 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 shall share elevator safety subcode services with Woodbridge, pursuant to the terms set forth in the Agreement.

Section 4. 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 5. This Resolution shall take effect immediately.

RESOLUTION R.143-032019

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITTO COPY SYSTEMS FOR
MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on January 8, 2019 for Public Bid No. 19-02-10-Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036, submitted the lowest legally responsible, responsive 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 \$50,000.00, 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 DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison 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 \$50,000.00 for the first year and any succeeding renewal year, subject to and contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with DITTO COPY SYSTEMS as described herein.