

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
January 23, 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 6:06 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 Director Elliott, Township Engineer O'Brien, Police Captain Schreck, Fire Chief Latham and Cameraman Cologna.

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

4. REVIEW OF MINUTES:

a. through c. No comments were made.

5 REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Diehl reported the Education Committee met on January 14th, discussion on bringing the election back to April. There are no plans at this time to move the election this year.

Councilmember Joshi, Library Board Meeting was held for the first time here in Council Chambers and it was televised. He encouraged everyone to watch the meeting.

6. POINTS OF LIGHT:

Council President Gomez, announced events last Saturday, January 19th Dr. Martin Luther King Celebration at Minnie B. Veal Community Center the children involved did a great job, remembering his sacrifice and everything he stands for also we had great speakers. He thanked the Recreation Department for the great job and never forgetting Dr. King. On Saturday, January 26th, 90th Anniversary of the Edison Library, Wednesday, January 30th Clara Barton Neighborhood group will be hosting a Crime Prevention and Neighborhood Watch information event presented by Lt. Dudash and Ptl. Jackson at the Clara Barton First Aid Squad at 7:00pm. Please note Election Districts 9, 10 and 51 will be moving due to the closing of St. Stephen Church. All voters will be notified by mail and ads will be in the newspaper. The changes are as follows: District 9 and 51 will be moved to the Clara Barton Library and District 10 will be going to the Herbert Hoover Middle School.

Council Vice President Patil, Dr. Martin Luther King event was well attended, he thanked the Recreation Department.

Councilmember Sendelsky, he also thanked the Girl Scouts and the Recreation Department for a wonderful awards ceremony.

Councilmember Lombardi, counterpart with the state to deferred 1st quarter Property Tax payments since worker are not getting paid, he would like to act on a Resolution for tonight's meeting.

Mr. Northgrave explained if the law is adopted our Resolution will defer tax payments to those workers that live in Edison with no late charges added. The Resolution R.067-012019 is being added tonight, it only applies if the Law is adopted, if Law is not this resolution is null and void.

On a motion made by Councilmember Lombardi, seconded by Councilmember Diehl to add to Resolution R.067-012019 to Consent Agenda.

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

7. FROM THE BUSINESS ADMINISTRATOR:

a. through c. No comments were made

d. Council Vice President Patil, asked for progress report since this is similar contract of last year.

Mr. DeRoberts, explained this programing is custom we are upgrading, automating salary calculations to work more efficiently and effectively.

e. No Comment was made.

8. FROM THE DEPARTMENT OF FINANCE:

a. and b. No comments were made

c. Council Vice President Patil, asked for explanation.

Ms. Ruane explained the law is 26.25% of the 2018 Budget.

d. and e. No comments were made

9. FROM THE DEPARTMENT OF LAW:

a. Councilmember Lombardi, is this regarding funding? He is in support of this Resolution to preserve the Library Link.

Ms. Ruane explained this is to keep the funding up for the Library Link NJ.

b. Council Vice President Patil asked for explanation.

Mr. Northgrave, probably within the next thirty days.

Councilmember Coyle asked if this is for leasing or selling.

Ms. Ruane explained we are leasing the water and sewer.

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. and b. No comments were made.

11. FROM THE PUBLIC WORKS:

a. through e. No comments were made.

12. FROM THE DEPARTMENT OF RECREATION:

a. No comment was made.

13. FROM THE TOWNSHIP CLERK:

a. No comment was made

b. Council President Gomez, we will be adding to Consent Agenda Resolution R.066-012019 Resolution appointing Krishna K. Siddhada as a Member of the Zoning Board.

Councilmember Joshi asked if Mr. Northgrave could look into if legal to have a Democratic Committee be appointed to any board or commission since those same people have to vote for us. He feels we should consider a policy.

Councilmember Diehl, councilmember Joshi brought up a very interesting point however if that was the case every councilmember would have to abstain.

Mr. Northgrave will look into.

14. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

No report since the member has not been appointed as of yet.

15. DISCUSSION ITEMS:

Council President Gomez:

a. Utility Companies, asked Mr. O'Brien to continue to communicate with them that is the key, we need tell them the specifications we require.

Councilmember Coyle:

a. He will be meeting with the Business Administrator before each meeting to discuss the methods of correcting his concerns.

Councilmember Diehl:

a. Deer update

Mr. Elliot reported he was out with the company doing the count for five hours. He learned the methodology they saw a lot of deer, looking forward to the specifics.

- b. Flyer, there seem to be some confusion on where we are. We are going to stay on top of this until we find out.

Councilmember Joshi:

- a. None

Councilmember Lombardi:

- a. Oaktree & Grove the paving was completed about a month ago. We recently had a water break there are now two big patches. How can we be sure they come back to redo.

Mr. O'Brien, that is a County Project, they have their own standards. We would be out right away but can only put cold patch now. He will keep on top of this with the County.

Councilmember Patil:

- a. Open Road.

Mr. Elliot, it was visited today by Code.

Councilmember Sendelsky:

- a. Last Monday there were some zoning issues on Route 1. He appreciated Carl for taking charge attitude and now they did submit applications.

- b. Update on Brookside

Mr. Elliot still on for Tuesday in Court.

- c. Property at Harding & Oak Tree, blue tarp on for months.

Mr. Elliot they have been fined \$3,000.00.

- d. Top Golf Update

Mr. Northgrave reported the Wall is up.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl seconded by Councilmember Patil and duly carried, the Minutes of the Combined Meeting of December 27, 2018, Re-Organization/Worksession Meeting of January 7, 2019 and Regular Meeting of January 9, 2019 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Gomez, no additional remarks, all said in Points of Light.

NEW BUSINESS

PROPOSED ORDINANCE PUBLIC HEARING SET DOWN FOR WEDNESDAY, FEBRUARY 13, 2019

O.2037-2019

AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE DEDICATION OF BALZANO COURT IN THE TOWNSHIP PURSUANT TO NJSA 40:67-1, ET SEQ.

On a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on Wednesday, February 13, 2019.

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.042-012019 through R.067-012019.

Bruce Diamond, 74 Calvert Avenue, Resolution R.066-012019 Councilmember Joshi make a great point, it’s not a healthy situation.

Council President Gomez, Mr. Northgrave will look into it further and advise.

Council Vice President Patil, this issue is much broader.

Lois Tarr, 52 Reider Road, Resolution R.061-012019, what is their role?

Ms. Ruane explained.

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

The following Resolutions R.042-012019 through R.067-012019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Lombardi.

RESOLUTION R.042-012019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JANUARY 17, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through January 17, 2019

FUND	AMOUNT
Current	\$11,818,875.17
Affordable Housing	0.00
Capital	103,611.65
Cash Performance	104,476.77
CDBG	0.00
Developers Escrow	54,232.68
Dog (Animal Control)	18,311.51
Federal Forfeited	0.00
Grant Funds	1,737.01
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	0.00
Sanitation Fund	321,001.30
Self Insurance	0.00
Sewer Utility	307,846.89
Tax Sale Redemption	817,238.79
Tree Fund	0.00
Tree Planting	1,050.00
Trust	8,940.54
Edison Landfill Closure Trust	152.00
TOTAL	\$13,557,474.31

/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.043-012019

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 **\$291,175.47**.

RESOLUTION R.044-012019

2019 TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-19, 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 2019 budget; and

WHEREAS, the date of this resolution is within the first 30 days of the calendar year, and

WHEREAS, the total amount of 2019 temporary budget is not in excess of 26.25% of 2018 budget, exclusive of debt service, capital improvement fund and public assistance.

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	145,372.88
BUSINESS ADMINSTRATOR Other Expenses	22,613.06
PURCHASING Salary	51,512.95
PURCHASING Other Expenses	24,200.66
PURCHASING CENTRAL STORE Other Expenses	16,365.30
COMMUNICATIONS/EDISON TV Salary	31,080.78
COMMUNICATIONS/EDISON TV Other Expenses	14,542.50
PERSONNEL/HR Salary	36,547.36
PERSONNEL/HR Other Expenses	22,220.63
MAYOR Salary	10,495.80
MAYOR Other Expenses	630.00
COUNCIL Salary	20,259.75
COUNCIL Other Expenses	1937.26
MUNICIPAL CLERK Salary	45,333.65
MUNICIPAL CLERK Other Expenses	33,626.26

ETHICS COMMISSION Other Expenses	2,625.00
FINANCE DEPARTMENT Salary	2,047.50
FINANCE DEPARTMENT Other Expenses	32,878.13
DISBURSEMENTS Salary	44,733.44
DISBURSEMENTS Other Expenses	1,261.05
PAYROLL Salary	12,171.34
PAYROLL Other Expenses	570.15
AUDIT SERVICES	18,923.10
DATA PROCESSING Other Expenses	49,131.25
TAX COLLECTION Salary	58,245.21
TAX COLLECTION Other Expenses	7,919.63
TAX ASSESSMENT Salary	70,973.23
TAX ASSESSMENT Other Expenses	43,837.50
LEGAL DEPARTMENT Salary	27,043.01
LEGAL DEPARTMENT Other Expenses	194,250.00
ENGINEERING SERVICES Salary	123,744.14
ENGINEERING SERVICES Other Expenses	75,253.77
PLANNING BOARD Other Expenses	6,090.00
ENVIRONMENTAL COMM Other Expenses	341.26
ZONING BOARD Other Expenses	6,877.50
PLANNING & ZONING DEPT Salary	100,032.64
PLANNING & ZONING Other Expenses	26,775.00
CONSTRUCTION ENFORC AGENCY Salary	378,599.03
CONST ENF AGENCY Other Expenses	87,491.25
RENT CONTROL BOARD Salary	3,937.50
RENT CONTROL BOARD Other Expenses	367.50
GROUP HEALTH INSURANCE	6,092,985.40
EMPLOYEE SALARY AND WAGES(WAIVERS)	
UNEMPLOYMENT INSURANCE EXPENSE	52,500.00
INSURANCE & SURETY Expense	2,562,639.79
LOSAP-Other Expenses	26,250.00
POLICE DEPARTMENT Salary	7,048,137.28
POLICE DEPARTMENT Other Expenses	242,405.63
DISPATCH 911 Salary	538,393.38
DISPATCH 911 Other Expenses	130,593.75
OFFICE OF EMRGNCY MGMT Other Expenses	3,937.50
AID TO VOL FIRE	28,875.00
AID TO VOL FIRST AID	27,562.50

FIRE FIGHTING Salary	4,972,681.82
FIRE FIGHTING Other Expenses	241,723.13
FIRE PREVENTION Salary	87,732.99
FIRE PREVENTION Other Expenses	26,643.75
FIRE HYDRANT CHARGES	406,203.00
STREETS & ROADS Salary	410,384.46
STREETS & ROADS Other Expenses	105,260.00
SOLID WASTE RECYCLING Salary	262,011.91
SOLID WASTE RECYCLING Other Expenses	16,143.75
BUILDINGS & GROUNDS Salary	422,615.14
BUILDINGS & GROUNDS Other Expenses	60,900.00
MUNICIPAL GARAGE Salary	213,917.79
MUNICIPAL GARAGE Other Expenses	25,173.75
POLICE VEHICLES Salary	56,754.21
POLICE VEHICLES Other Expenses	60,598.13
CONDO COMMUNITY COSTS	42,000.00
HEALTH Salary	411,304.36
HEALTH Other Expenses	37,248.77
SENIOR CITIZEN Salary	91,449.99
SENIOR CITIZEN Other Expenses	10,434.39
RECREATION Salary	391,996.76
RECREATION Other Expenses	150,820.44
PARKS & TREES Salary	306,017.48
PARKS & TREES Other Expenses	20,422.50
FREE PUBLIC LIBRARY Salary	673,690.24
FREE PUBLIC LIBRARY Other Expenses	762,595.31
CELEBRATION OF PUBLIC EVENTS EXPENSES	16,012.50
PUBLIC BUILDINGS HEAT,LIGHT,POWER	248,290.61
STREET LIGHTING EXPENSE	288,750.00
PUBLIC BUILDINGS TELEPHONE	65,625.00
FUEL & LUBRICANTS Other Expenses	214,159.31
CONTINGENT Expense	13,125.00
PERS Expense	1,978,589.00
O.A.S.I. (SOCIAL SECURITY) Expense	437,564.64
Defined Contribution Retirement Program Expenses	18,900.00
PFRS Expenses	540,000.00
MUNICIPAL COURT Salary	161,582.18
MUNICIPAL COURT Other Expenses	13,930.88

PUBLIC DEFENDER Salary	9,187.50
PUBLIC DEFENDER Other Expenses	525.00
MUNICIPAL ALLIANCE GRANT	89,447.00
TOTAL CURRENT FUND	<u>32,969,550.89</u>

<u>SEWER UTILITY FUND</u>	<u>AMOUNT</u>
SEWER Salary	485,033.59
SEWER Other Expenses	1,537,283.75
SEWER Sewerage Disposal Charges	2,500,000.00
SEWER Public Emp Retirement Sys (PERS)	251,002.00
SEWER Social Security (OASI)	39,375.00
TOTAL SEWER UTILITY FUND	<u>4,812,694.34</u>

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Salary	669,375.00
SANITATION Other Expenses	847,965.00
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	627,071.55
SANITATION Public Emp Retirement Sys (PERS)	184,700.00
SANITATION Social Security (OASI)	52,500.00
SANITATION Disposal Fees	420,000.00
TOTAL SANITATION FUND	<u>2,801,611.55</u>

RESOLUTION R.045-012019

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 **\$2,328.77**.

RESOLUTION R.046-012019

Authorizing the refund of sewer charge overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various property discharging disposable water into Township of Edison sewer lines, we have received overpayment

for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that value billed to their sewer accounts for the indicated year and period; and

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing in satisfaction of sewer charge overpayments totaling **\$184.50**, and that this Resolution shall take effect immediately.

RESOLUTION R.047-012019

EXPLANATION: This Resolution authorizes adoption of the Central Jersey Municipal Joint Insurance Fund 2019 Safety Incentive Program.

WHEREAS, the Township of Edison (the "Township") is a member of the Central Jersey Municipal Joint Insurance Fund (the "Central JIF" or the "Fund"); and

WHEREAS, it is the policy of the Central JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the Central JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the Central JIF's Safety Committee is made up of representatives of the Fund's municipalities, along with the professionals employed by the Fund; and

WHEREAS, the Central JIF has adopted the new 2019 Safety Incentive Program (the "Program"), which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, this new Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health ("PEOSHA") requirements.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby adopts the Central JIF's 2019 Safety Incentive Program.
3. This Resolution shall take effect immediately.

RESOLUTION R.048-012019

**RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

A RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency " has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on January 23, 2019 the governing body of the Township of Edison, County of Middlesex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Edison

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor or his designee is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION R.049-012019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO J.J. RYAN INC. FOR THE FURNISHING OF PROMOTIONAL ITEMS, TROPHIES AND AWARDS

WHEREAS, bids were received by the Township of Edison on November 28, 2018 for Public Bid No. 18-01-18-Promotional Items, Trophies and Awards; and

WHEREAS, J.J. RYAN INC., 242 Amboy Avenue, Woodbridge, NJ 07095 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 \$3,000.00, 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 J.J. RYAN INC, 242 Amboy Avenue, Woodbridge, NJ 07095, for Promotional Items, Trophies and Awards is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$3,000.00 for the first year and any succeeding renewal year and any other necessary documents, with J.J. RYAN INC.

RESOLUTION R.050-012019

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

WHEREAS, bids were received by the Township of Edison on November 28, 2018 for Public Bid No. 18-01-18-Promotional Items, Trophies and Awards; and

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

WHEREAS, the 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 \$38,000.00, 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 EXPRESS IMPRINTABLES, INC., 36 Sheffield Ave., Monroe, NJ 08831, for Promotional Items, Trophies and Awards is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$38,000.00 for the first year and any succeeding renewal year and any other necessary documents, with EXPRESS IMPRINTABLES, INC.

RESOLUTION R.051-012019

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 STO0000279, to the following:

Permit Number: 30042

Opening Location: 2035 Lincoln Highway

Block/Lot: 123/11.02

Applicant's Name & Address:

**EX2 Technology LLC
1044 N. 115th Street, Suite 200
Omaha, NE 68154**

Initial Deposit Date: 11/16/2017

Deposit Amount: \$200.00

Paid by & refunded to:

**EX2 Technology LLC
1044 N. 115th Street, Suite 200
Omaha, NE 68154**

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.052-012019

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 STO0000291, to the following:

Permit Number: DEV-0011

Opening Location: 22 NETHERWOOD CIR

Block/Lot: 490.N/44

Applicant's Name & Address:

**PETER & JEANNE LEUS
22 NETHERWOOD CIR
EDISON, NJ 08820**

Initial Deposit Date: 06/16/2018

Deposit Amount: \$600.00

Paid by & refunded to:

**PETER & JEANNE LEUS
22 NETHERWOOD CIR
EDISON, NJ 08820**

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

RESOLUTION R.053-012019

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 STO0000300, to the following:

Permit Number: DEV-0020

Opening Location: 216 OXFORD RD

Block/Lot: 991/6.01

Applicant's Name & Address:

**PAGODA HOMES LLC
33 WOOD AVE SOUTH
SUITE: 600**

ISELIN NJ 08830

Initial Deposit Date: 07/18/2018

Deposit Amount: \$1600.00

Paid by & refunded to:

**PAGODA HOMES LLC
33 WOOD AVE SOUTH
SUITE: 600
ISELIN NJ 08830**

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.054-012019

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO MONTANA CONSTRUCTION FOR REPAIR TO THE STORM WATER SYSTEM ON PARSONAGE AND LAFAYETTE ROAD

WHEREAS, an emergency occurred on August 30, 2018 at Parsonage and Lafayette Road; and

WHEREAS, upon investigation it was determined there was a need for storm water system repairs at this location at the above date and time; 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, MONTANA CONSTRUCTION CORPORATION INC., 80 Contant Avenue, Lodi, NJ 07644 repaired the storm water system in the amount of \$36,457.49; and

WHEREAS, funds in the amount of \$36,457.49 have been certified to be available in the Sewer Materials & Supplies Account, Number 8-07-55-0501-000-030; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$36,457.49, and any other necessary documents, with MONTANA CONSTRUCTION CORPORATION INC., 80 Contant Avenue, Lodi, NJ 07644, as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.
3. 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 **\$36,457.49** are available for the above in Account No. **8-07-55-0501-000-030**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.055-012019

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS TO JEN ELECTRIC FOR THE REPAIR/REPLACEMENT OF CONTROLLER CABINET ON THE PLAINFIELD AND JEFFERSON TRAFFIC SIGNAL
IN AN AMOUNT NOT TO EXCEED \$19,035.00**

WHEREAS, JEN ELECTRIC, 631 Morris Ave., Springfield, NJ 07081 was awarded Contract No. 16-02-26 Emergency Traffic Signal Repairs, through Resolution R.123-022017 in the amount of \$75,000.00 per year for the period April 8, 2017 to April 7, 2018 with the second year renewal expiring on April 7, 2019; and

WHEREAS, the Township recommends we add these additional funds in the amount not to exceed \$19,035.00 to repair/replace the controller cabinet on Plainfield and Jefferson; and

WHEREAS, funds in the amount of \$19,035.00 have been certified to be available in the Installation of Traffic Signals-Various Areas Account, Number C-04-05-1468-392-008; and

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or his designee, is hereby authorized to amend and execute the contract for an additional \$19,035.00, and any other necessary documents, with JEN ELECTRIC, 631 Morris Ave., Springfield, NJ 07081, as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$19,035.00** are available for the above in Account No. **C-04-05-1468-392-008**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.056-012019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO MACKENZIE DOOR COMPANY FOR THE MAIN ENTRANCE VESTIBULE DOOR REPLACEMENT-INTERIOR AND EXTERIOR

WHEREAS, bids were received by the Township of Edison on December 19, 2018 for Public Bid No. 18-11-30-Main Entrance Vestibule Door Replacement-Interior and Exterior; and

WHEREAS, MACKENZIE DOOR COMPANY, 4900 West Side Ave., North Bergen, NJ 07047 submitted the sole, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$36,590.00; and

WHEREAS, funds in the amount of \$36,590.00 have been certified to be available in the 2014 Capital-Various Building Improvements Account, number C-04-14-1872-310-001; 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 bid submitted by MACKENZIE DOOR COMPANY, 4900 West Side Ave., North Bergen, NJ 07047 for the Main Entrance Vestibule Door Replacement-Interior and Exterior is determined to be the lowest, legally responsible, responsive 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 \$36,590.00 and any other necessary documents, with MACKENZIE DOOR COMPANY as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$36,590.00** are available for the above in account number C-04-14-1872-310-001.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.057-012019

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF TRUCK TRANSMISSION REPAIR/REBUILD TO AIR BRAKE AND EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$9,000.00

WHEREAS, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 was awarded Contract No. 17-09-07 through resolution R.030-012018 for the period March 17, 2018 to March 16, 2019 in the amount of \$45,000.00, and that amount has been depleted; and

WHEREAS, the Township recommends we add additional funds to this contract in the amount not to exceed \$9,000.00 to complete the repair of G-43 with all prices, terms and conditions to remain the same; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract; and

WHEREAS, the total amount of these additional funds, not to exceed \$9,000.00, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$9,000.00, and any other necessary documents, with AIR BRAKE AND EQUIPMENT described herein.

RESOLUTION R.058-012019

RESOLUTION AUTHORIZING A REIMBURSEMENT TO JENNIFER ARAGON FOR THE ABC PROGRAM

WHEREAS Jennifer Aragon made payment in the amount of \$320.00 for her child Brielle Aragon's participation in the ABC Program at John Marshall Elementary School; and

WHEREAS the child was withdrawn from the program; and

WHEREAS payment was already made.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$320.00 to Jennifer Aragon, 26 Parch Pl., Edison, NJ, 08817 which represents the amount for the ABC Program.

RESOLUTION R.059-012019

Explanation: A Resolution supporting New Jersey Assembly Bill A-4815, providing funding to preserve full services via LibraryLinkNJ through the end of the current fiscal year.

WHEREAS, LibraryLinkNJ is a 501(c)(3) non-profit corporation, whose members are libraries and library related agencies, that was initially established in 1983 as the "New Jersey Library Network," as a way for academic, institutional, public, school and special libraries to cooperatively provide the State of New Jersey's residents with full and equal access to library materials, programs and information that might not otherwise be available in local communities; and

WHEREAS, LibraryLinkNJ, for the past thirty (30) years, has provided the citizens of the Township of Edison, and the State of New Jersey, with a variety of services ranging from delivering books and materials, to training library staff; and

WHEREAS, the future welfare of LibraryLinkNJ is in question due to a current budget deficit of \$370,000.00, due to amongst other factors, the increased cost of services while State funding has remained flat; and

WHEREAS, without securing additional funding, LibraryLinkNJ will be forced to cease operations in early 2019, and permanently in June 2019; and

WHEREAS, New Jersey Assembly Bill A-4815 was introduced, in order to provide enough funding to preserve full services via LibraryLinkNJ through the end of the current fiscal year; and

WHEREAS, the Municipal Council of the Township of Edison (the “**Municipal Council**”), hereby supports the mission of LibraryLinkNJ, and supports New Jersey Assembly Bill A-4815 to provide funding through the end of the current fiscal year in support of same.

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

1. The Municipal Council supports the mission and purpose of LibraryLinkNJ.
2. The Municipal Council supports and urges our State Legislators to pass New Jersey Assembly Bill A-4815.
3. Certified copies of this Resolution shall be forwarded to Governor Philip D. Murphy, Lieutenant Governor Sheila Y. Oliver, New Jersey Senate President Stephen Sweeney, New Jersey Assembly Speaker Craig Coughlin, our State Senator Patrick J. Diegnan, Jr., Assemblywoman Nancy J. Pinkin and Assemblyman Robert Karabinchak.

RESOLUTION R.060-012019

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with the solicitation of proposals for a concession agreement for the Township’s water and sewer systems.

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

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

WHEREAS, pursuant to the LPCL, the Township issued a Request for Proposals for Engineering Services, RFP 16-09, and by way of Resolution R.066-022017 authorized Mott MacDonald (“**Engineer**”) to provide engineering services in connections with the Township’s solicitation of proposals for a concession agreement for the Township’s water and sewer systems (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an additional Twenty Thousand Dollars (\$20,000.00) to Engineer in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

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

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The Township desires to authorize the Engineering Services in the amount of \$20,000.00, consistent with the proposal attached hereto as Exhibit A.
- Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$20,000.00.
- Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.
- Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.
- Section 6. This Resolution shall take effect immediately.

RESOLUTION R.061-012019

EXPLANATION: This Resolution awards a Professional Services Contract to Coventus Labor Consulting, LLC, to provide a comprehensive review of the Township’s Human Resource/Labor Relations management functions and processes.

WHEREAS, there exists a need for a review of the human resource and labor relation management functions and processes in the Township of Edison (the “**Township**”); and

WHEREAS, Coventus Labor Consulting, LLC (“**Company**”) is skilled at and experienced in performing reviews of companies in order to help organization and analysis of existing labor issues, while implementing technologies and strategies to enhance the Township’s best practices in order to enable the Office of Human Resources to meet the needs of the Township; and

WHEREAS, Company will also assist the Township in designing and implementing strategies, which will include but shall not be limited to, salary and benefits administration, labor contract administration and union grievance procedure, and workers’ compensation, harassment and complaint procedures; and

WHEREAS, 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, the municipal council of the Township (“**Municipal Council**”) seeks to authorize the Company to provide human resource and labor relation consulting services from February 1, 2019 through January 31, 2020, and any other services as may be reasonably required to effectuate same (the “**Services Contract**”) attached hereto as *Exhibit A*; 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 Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, the Services Contract shall not be awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, compensation to the Company for human resource and labor management services shall be paid pursuant to the Services Contract at a flat rate of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) per month, and not to exceed Seventy Five Thousand Dollars (\$75,000.00); 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 herein.
2. The Municipal Council hereby authorizes the Company to perform human resource and labor management services to the Township from February 1, 2019 through January 31, 2020, and any other services as may be reasonably required to effectuate same pursuant to the Services Contract.
3. The Mayor and Township Clerk are hereby authorized to execute the Services Contract with the Company, consistent with the terms herein and in a form approved by the Township Attorney.
4. The Services Contract 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.
5. 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, substantially in the form attached hereto as *Exhibit B*, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
6. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. Total compensation to be paid under the Services Contract will exceed \$17,500.
7. A copy of this Resolution, the Services Contract and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.
8. This Resolution shall take effect immediately.

RESOLUTION R.062-012019

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

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

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

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

WHEREAS, pursuant to a letter dated January 15, 2019, and attached hereto as Exhibit A, Radiant advises that it is required to commit more time to the performance of its services than initially expected; and

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

WHEREAS, the Municipal Council desires to increase the amount available for these services by an additional amount not to exceed \$35,000.00, and authorizes the payment to Radiant for such services under the contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The budgeted amount to be paid Radiant for its HR/Payroll Integration services pursuant to the terms of the contract is hereby increased by an amount not to exceed \$35,000.00. The Chief Financial Officer or his designee is hereby authorized to make payments to Radiant under the contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the contract to memorialize the increase of the budgeted amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2019 calendar year, funds in the amount of an additional \$35,000.00 are available in Account No# 9-01-20-0130-001-028 for HR/Payroll Integration Services.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.063-012019

EXPLANATION: A Resolution authorizing and approving the Person-to-Person transfer of the Plenary Retail Consumption License held by Sura Holdings, LLC, t/a The Ellora to Grand Mahal Liquor, LLC t/a Royal Grand Manor.

WHEREAS, an application has been filed with the Township of Edison ("Township") for a Person-to-Person transfer of the Plenary Retail Consumption Liquor License No. 1205-33-002-008 ("License"), issued to Sura Holdings, LLC t/a The Ellora ("Seller") Grand Mahal Liquor, LLC t/a Royal Grand Manor ("Applicant")

WHEREAS, the Applicant's submitted application form is complete in all respects, the transfer fees have been paid and the License has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 13 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the License and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, public notice of this transfer has been published in the Home News Tribune, a New Jersey publication, in accordance with law; and

WHEREAS, no legally valid objections have been received nor made as to why this transfer should not be granted to the Applicant.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby approves the Person-to-Person transfer of the License to the Applicant.
3. The Township Clerk is hereby directed to endorse the Applicant's current license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Grand Mahal Liquor, LLC, t/a Royal Grand Manor.
4. This Resolution shall take effect immediately.

(New License No. 1205-33-002-009)

RESOLUTION R.064-012019

EXPLANATION: Resolution Refunding Inspection Fees to Kalogridis Estates Application #Z44-2012 for 30-31 Bartha Avenue
Account #EI180601AN, 68392092

WHEREAS, the Township Engineer advises that an inspection has been made of the above property 30-31 Bartha Avenue , Block 906, Lot 14, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

WHEREAS, the applicant was required to post engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, the Township Engineer recommends the release of the inspection fees posted in May 4, 2018 in the amount of **\$926.52** in account #EI180601AN

WHEREAS, the applicant has requested the return of the unused portion of engineering inspection fees, as provided by law; and

WHEREAS, it is in now in order that the sum of **\$926.54**, which represents the amount due and owing the applicant, be returned to Kalogridis Estates, 11 Bartha Avenue, Edison, NJ 08817

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$926.52** plus accrued interest, if applicable, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the director of Finance be and is hereby authorized to refund said sum of **\$926.52**, in account # EI180601AN, 68392092 to the applicant.

RESOLUTION R.065-012019

EXPLANATION: Resolution Returning the Performance Bond to Gayatri, LLC. Associates ,29 Stonehurst Blvd, Freehold ,NJ 07728 Application #Z55-2016 and Performance Surety Bond #S-311006

WHEREAS, Gayatri Associates LLC. posted; Cashier's Check #141503 in the Amount of \$39,093.00 was posted by Gayatri Associates LLC. Having offices at 29 Stonehurst Blvd, Freehold, NJ 07728. This check is the cash portion of the guarantee for the construction of public improvements required by the site plan approval . The guarantee has been prepared in accordance with the performance guarantee estimate dated April 19,2017.
Account No #CP170829GA

WHEREAS, Enclosed is a Performance Surety Bond #S-31106 dated July 24, 2017 of The NGM Insurance Co, in the amount of \$351,837.00, posted by Gayatri Associates LLC. This is the surety portion of the performance guarantee.

WHEREAS, an inspection has been revealed all improvements to be complete and in conformance to township standards: therefore, it is now in order that final acceptance is granted and the Performance Bond presently being held by the Township Clerk be released.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid bond S-3110006 in the amount of **\$351,837.00** NGM Insurance Co, 4601 Touchton Road , Suite 3400 ,

Jacksonville , Fl, 32246. And also release the cash performance check #141503 in the amount of **39,093.00** **Account No CP170829GA** to Gaytri Associates LLC. having offices at 29 Stonehurst Blvd, Freehold ,NJ 07728.

RESOLUTION R.066-012019

WHEREAS, it is the duty of the Municipal Council to appoint Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Krishna K. Siddhada to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Krishna K. Siddhada, 192 Westgate Drive, Edison, NJ 08820 be and he is hereby appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2022.

RESOLUTION R.067-012019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING AN EXTENSION OF THE STATUTORY DEADLINE FOR THE PAYMENT OF FIRST QUARTER 2019 AD VALOREM REAL ESTATE TAXES, INCLUDING THE STATUTORY, INTEREST-FREE GRACE PERIOD FOR SUCH PAYMENTS, FOR ALL FEDERAL EMPLOYEES RESIDENT WITHIN THE TOWNSHIP OF EDISON, CONSISTENT WITH ACTIONS, IF TAKEN, BY THE STATE OF NEW JERSEY WITH RESPECT TO THE FEDERAL GOVERNMENT SHUTDOWN

WHEREAS, pursuant to State law, payment of First Quarter 2019 *Ad Valorem* real estate taxes for all real property located within the Township of Edison ("Township"), must be paid to the Township Tax Collector on or before Monday, February 11, 2019, in order to avoid the imposition of statutory interest on all amounts remaining unpaid after that date (such period the "Grace Period"); and

WHEREAS, due to the federal government shutdown which commenced on Saturday, December 22, 2018, and which continues as of the January 23, 2019 adoption of this Resolution by an oral vote of the Township Council ("Township Council"), some 800,000 federal employees have been furloughed, and therefore left without pay for the duration of the shutdown; and

WHEREAS, certain federal employees are resident within the Township of Edison, and may have difficulty paying their First Quarter 2019 *Ad Valorem* real estate taxes in light of the federal government shutdown, and the resulting loss of pay while the shutdown continues; and

WHEREAS, the Township Council of the Township has determined that, due to and under the circumstances noted above, it is in its best interests, those of Township residents, and those of the aforesaid federal employees resident within the Township, to extend the statutory deadline for the payment of First Quarter 2019 *ad valorem* real estate taxes, including the statutory, interest-free Grace Period for such payments, for all such federal employees resident within the Township of Edison, consistent with actions, if taken, by the State of New Jersey with respect to the payment of such taxes in light of the federal government shutdown; and

WHEREAS, the Township understands that efforts may be underway within the State of New Jersey, which, if taken, would address comprehensively the issue of payment and deferment of *Ad Valorem* taxes by State residents who are also federal employees, while the federal government shutdown continues; and

WHEREAS, in consequence of the foregoing, the Township Council is desirous of extending the statutory payment deadline and the Grace Period, all as aforesaid, in such manner as the State of New Jersey may choose to address this issue in a comprehensive manner as a matter of law, in the event that the State does so; and

WHEREAS, the Township Council desires to adopt this Resolution, to memorialize its intent to grant any such extension which may be conferred by the State of New Jersey, in the event that the State does so.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council, consistent with any comprehensive treatment of the issue which the State of New Jersey may undertake as a matter of law (if any), hereby agrees to extend the statutory deadline for the payment of First Quarter 2019 *ad valorem* real estate taxes, including the statutory, interest-free Grace Period for

such payments, for all federal employees resident within the Township of Edison, for a period commensurate with any such action which the State of New Jersey may take and authorize (if any) respecting such payments.

3. All pertinent Township personnel, including without limit the Township Tax Collector, the Township Finance Director, the Township Business Administrator and the Township Clerk, without further Resolution of the Township Council, be and hereby are authorized and directed to comply with the foregoing extension in all respects, if the State of New Jersey should act to comprehensively address the issue of such tax payments by residents who are also federal employees.

4. This Resolution shall take effect immediately.

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

ABSENT

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Gomez opened the meeting for public comment.

Bruce Diamond said he is glad to hear the report on Deer. They cleaned up garbage at 48 Calvert Avenue, thank you.

Lois Wolke, 10 Peak Road, she has the same concern as Councilmember Joshi and Bruce Diamond. We should look into all aspects.

Council President Gomez replied Mr. Northgrave will be taking the lead on this.

Maria Orchard, 83 Jefferson Avenue, she is looking for new ideas for the Farmers Market. She thanked DPW for the Storm preparation.

Thomas Gockel, 77 Safran Avenue, regarding zoning who would be responsible for enforcing?

Mr. Northgrave, if you call the Zoning Department and don't receive satisfaction, come here or call Mayor's Office.

Councilmember Coyle, Zoning and Code, bring it to our attention we will make sure compliance, they are doing a good job.

Councilmember Sendelsky, we appreciate you coming don't ever be afraid to come to a Council Meeting with any issue. Everyone in the town should be following the laws. I appreciate the way you care about this town.

Councilmember Diehl, it take guts to come here however you can always email the council with concerns, that's what we are elected to do.

Elaine Kaufman, 15 Cutter Avenue, she has been a resident for 43 years and would like to know when her road will be repaved.

Council President Gomez the engineer will be sitting with the administration within the next couple of weeks putting together various paving and road projects. They should be putting out for bid in about two months.

Councilmember Joshi asked for a report to the council.

Council President Gomez, asked Mr. Gockel to please speak with the Ms.Ruane after meeting .

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

Having no further business to discuss, on a motion made by Councilmember Lombardi, seconded by Councilmember Sendelsky the meeting was adjourned at 7:24 p.m.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk

