

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
May 20, 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. **ORAL PETITIONS AND REMARKS**
5. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
 - a. Appointment to the Environmental Commission
6. **REVIEW OF MINUTES:**
 - a. Combined Meeting of April 24, 2019
 - b. Worksession Meeting of May 6, 2019
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing the Mayor to execute the Agreement with A.F.S.C.M.E. Local No. 3269.
 - b. Resolution Awarding forty eight month replacement lease for one Multi-function copier for the Division of Purchasing (not to exceed \$16,000.00)
 - c. Award of Contracts for Public Bid No. 19-04-26 Security/Emergency Lighting Equipment and Accessories and Installation (2 vendors – not to exceed \$275,000.00)
 - d. Resolution Awarding of Contract for Public Bid No. 19-05-02 Private Collection Agency of Municipal Court Debt.
 - e. Resolution authorizing a Professional Services Contract for Veterinary Services/Clinics (not to exceed \$15,000.00)
10. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 16, 2019
 - b. Resolution authorizing refund in the amount of \$228,460.28 for redemption of tax sale certificates.

- c. Resolution authorizing refund for tax overpayments totaling, \$3,312.56.
11. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution re-appointing Mary Briggs as Registrar of Vital Statistics
 - b. Resolution appointing Brenda Rinaldi as Deputy Registrar of Vital Statistics.
 - c. Resolutions authorizing a refund of Temporary Food License Fees.
 - d. Resolution accepting a grant in the amount of \$2,000.00 from Sustainable Jersey P.S.E. & G Small Grants Program.
12. **FROM THE DEPARTMENT OF LAW:**
- a. Resolution authorizing the entering of a Shared Services Agreement with Township of Woodbridge for the purpose of deploying Recovery Specialists to Opioid Overdose Victims with the Township of Edison.
 - b. Resolution authorizing the execution of, and entry into, a Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, with 2019 Revisions, as Approved by the New Jersey Department of Law & Public Safety and the New Jersey Department of Education.
 - c. Resolution approving a Settlement Agreement and Release with CB Restaurants, Inc. with respect to certain sewer charges.
 - d. Resolution authorizes the transfer of a portion of the vacated Harley Road to the adjacent property owner pursuant to *N.J.S.A. 40:60-28*.
13. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution approving the Fiscal Year 2019 Community Development Block Grant Program and the filing of the Fiscal year 2019 Consolidated Annual Action Plan.
 - b. Resolution authorizing a refund for overpayment of a Development Fee.
14. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolutions releasing Street Opening Escrow.
15. **FROM THE CHIEF OF FIRE:**
- a. Resolution authorizing the refund of Fire Prevention Revenue Collected, but not required.
16. **FROM THE CHIEF OF POLICE:**
- a. Resolution Awarding Contract/Purchase Order for the purchase of six (6) Armor Express Razor IIIA Body Armor vest with STP. (\$5,730.00.00)
17. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
18. **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

19. **ADJOURNMENT**

RESOLUTION R.

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 16, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 16, 2019.

FUND	AMOUNT
Current	\$6,653,977.59
Affordable Housing	0.00
Capital	477,771.48
Cash Performance	0.00
CDBG	0.00
Developers Escrow	1,594.89
Dog (Animal Control)	10,080.12
Federal Forfeited	3,725.00
Grant Funds	3,789.48
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	529,307.10
Sanitation Fund	274,152.86
Self Insurance	0.00
Sewer Utility	100,127.82
Tax Sale Redemption	44,021.04
Tree Fund	0.00
Tree Planting	0.00
Trust	123,420.56
Edison Landfill Closure Trust	0.00
TOTAL	\$8,221,967.94

/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.

WHEREAS, the A.F.S.C.M.E. Local No. 3269, has been certified as a Collective Bargaining agent; and

WHEREAS, the Administration has negotiated a Collective Bargaining Agreement with Local No. 3269, which agreement requires the approval of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that they Mayor and Township Clerk are hereby authorized to execute an agreement with the A.F.S.C.M.E., Local No. 3269, for the period from January 1, 2018 through December 31, 2022.

**RESOLUTION AWARDING FORTY EIGHT MONTH REPLACEMENT LEASE FOR ONE (1) MULTI
FUNCTION COPIER FOR THE DIVISION OF PURCHASING TO KYOCERA DOCUMENT
SOLUTIONS**

WHEREAS, The Division of Purchasing has a copier whose lease term has concluded and they are in need of a replacement multi-function machines that copies, prints, scans and faxes; and

WHEREAS, KYOCERA DOCUMENT SOLUTIONS, 225 Sand Road, PO Box 4008, Fairfield, NJ 07004 has been awarded State Contract Number 40465 under G-2075-Copiers & Multi-Function Devices, Maintenance, Supplies & Print Services; and

WHEREAS, the lease shall be forty eight (48) months in the amount not to exceed \$4,000.00 per year (\$174.54 per month for the lease and .007 per b/w copy, .043 per color copy) not to exceed \$16,000.00 for the term of the lease; and

WHEREAS, this Kyocera TASKalfa 5053ci includes all maintenance and supplies except paper; and

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

WHEREAS, the total amount of this contract, not to exceed \$16,000.00, cannot be encumbered at this time; and

WHEREAS, as this is a multi-year Contract, for the additional calendar years it is contingent upon the adoption of temporary and/or permanent budgets for those years; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the total amount not to exceed \$16,000.00 for a four year lease as indicated herein and any other necessary documents, with KYOCERA DOCUMENT SOLUTIONS, 225 Sand Road, PO Box 4008, Fairfield, NJ 07004 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. 40465/G-2075.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO EAST COAST EMERGENCY LIGHTING, INC. FOR SECURITY/EMERGENCY LIGHTING EQUIPMENT AND ACCESSORIES AND INSTALLATION

WHEREAS, bids were received by the Township of Edison on May 9, 2019 for Public Bid No. 19-04-26-Security/Emergency Lighting Equipment and Accessories and Installation; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Dr., Millstone Township, NJ 08535, 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 amount of the first year and any succeeding renewal year shall not exceed \$250,000.00, 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 EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Dr., Millstone Township, NJ 08535 for Township Security/Emergency Lighting Equipment and Accessories and Installation 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 \$250,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with EAST COAST EMERGENCY LIGHTING, INC. as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO RTR FINANCIAL SERVICES,
INC. FOR PRIVATE COLLECTION OF MUNICIPAL COURT DEBT**

WHEREAS, in conformance with N.J.S.A 40A:11-4.1 et seq, Resolution R.090-022012 dated February 23, 2012 authorized the use of competitive contracting for Private Collection of Municipal Court Debt; and

WHEREAS, notice for request for bids for Public Bid No. 19-05-02 Private Collection Agency of Municipal Court Debt was advertised on February 14, 2019 and bids were received March 13, 2019; and

WHEREAS, after review and evaluation of said bids it has been recommended by the Evaluation Committee that this contract be awarded to RTR Financial Services, Inc., 2 Teleport Drive, Suite 302, Staten Island, NY 10311 for the administrative fee of 15.9% in accordance with our RFP and their submittal; and

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

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract with RTR Financial Services, Inc. for a period of two (2) years with the option for two (2) one (1) year renewals as described herein.

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GARDEN STATE
VETERINARY SERVICES FOR VETERINARY SERVICES/CLINICS**

WHEREAS, the Township of Edison (the Township) has the need for veterinary services, and the Township is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("Local Contracts Law") to contract for "professional services" as it may require; and

WHEREAS, GARDEN STATE VETERINARY SERVICES, 643 Route 27, Iselin, NJ 08830 has submitted a proposal to provide such services; and

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

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

WHEREAS; the total amount of this contract shall be in the amount not to exceed \$15,000.00; and

WHEREAS, GARDEN STATE VETERINARY SERVICES 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 GARDEN STATE VETERINARY SERVICES from making any reportable contributions through the term of this one year contract; and

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

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

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

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

1. The Township is hereby authorized to execute a contract and any other necessary documents, with GARDEN STATE VETERINARY SERVICES, 643 Route 27, Iselin, NJ 08830, in an amount not to exceed \$15,000.00 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION

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 **\$228,460.28**.

RESOLUTION

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$3,312.56**.

TOWNSHIP OF EDISON

COUNTY OF MIDDLESEX

RESOLUTION

Appointment of Registrar of Vital Statistics

WHEREAS, Mary T. Briggs has been employed as an Information and Records Manager with the Township of Edison Department of Health since November 2002; and

WHEREAS, Mary T. Briggs has served as Registrar of Vital Statistics since February 6, 2007 and has received and maintained the Certified Municipal Registrar credential as required by law; and

WHEREAS, Mary T. Briggs has been re-appointed by Mayor Thomas Lankey as Registrar of Vital Statistics; and

WHEREAS, it is the desire of the Municipal Council to confirm this appointment; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that Mary T. Briggs is hereby appointed as Registrar of Vital Statistics in accordance with N.J.S.A. 26:8-11 for a term of three years to expire on June 30, 2022

TOWNSHIP OF EDISON

COUNTY OF MIDDLESEX

RESOLUTION

Appointment of Deputy Registrar of Vital Statistics

WHEREAS, Brenda Rinaldi has been employed as Executive Assistant with Township of Edison Department of Health since January 2007; and

WHEREAS, Brenda Rinaldi has served as Deputy Registrar of Vital Statistics since August 20, 2018 and has received and maintained the Certified Municipal Registrar credential as required by law; and

WHEREAS, Brenda Rinaldi has been appointed by Mayor Thomas Lankey as Deputy Registrar of Vital Statistics; and

WHEREAS, it is the desire of the Municipal Council to confirm this appointment; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that Brenda Rinaldi is hereby appointed as Deputy Registrar of Vital Statistics in accordance with N.J.S.A. 26:8-11 for a term of three years to expire on June 30, 2022

RESOLUTION AUTHORIZING A REFUND OF TEMPORARY FOOD LICENSE FEE TO CARIBBEAN BREEZE

WHEREAS, Caribbean Breeze made application and paid the required \$75.00 for a Temporary Retail Food license to sell food at a May 4, 2019 event at Edison High School;

WHEREAS, the event was cancelled by the organizers due to weather conditions and the license is no longer needed;

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 \$75.00 to Caribbean Breeze, 207 Hanover Street, Pemberton, NJ 08068.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$75.00** are available for the above refund in Account No. **9-01-55-0291-000-000**.

Nicholas Fargo
Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REFUND OF TEMPORARY FOOD LICENSE FEE TO ELENA
LEMBO DBA SWEET CONCESSIONS**

WHEREAS, Elena Lembo made application and paid the required \$75.00 for a Temporary Retail Food license to sell food at a May 4, 2019 event at Edison High School;

WHEREAS, the event was cancelled by the organizers due to weather conditions and the license is no longer needed;

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 \$75.00 to Elena Lembo, 45 Darrow Street, South River, NJ 08882.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$75.00** are available for the above refund in Account No. **9-01-55-0291-000-000**.

**RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$2,000
FROM SUSTAINABLE JERSEY PSE&G SMALL GRANTS PROGRAM**

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$2,000 from the Sustainable Jersey PSE&G Small Grant Program; and

WHEREAS, the funds will be utilized towards the green/sustainable 2019 Edison Community Garden Project; and

WHEREAS, this program will have a significant benefit to the residents of Edison; and

WHEREAS, no matching funds are required to accept this grant award;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$2,000, and that the Mayor, or her designee is hereby authorized to execute any and all documents with respect to this grant described herein.

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with Township of Woodbridge for the purpose of deploying Recovery Specialists to opioid overdose victims within the Township of Edison.

EDISON TOWNSHIP

RESOLUTION _____

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, the Township of Woodbridge (“**Woodbridge**”) maintains the Woodbridge Opioid Overdose Recovery Program (the “**Program**”) for the purpose of deploying Recovery Specialists to opioid overdose victims; and

WHEREAS, the Township is desirous of obtaining the Program services for the victims of opioid overdoses within its borders; and

WHEREAS, the Township and Woodbridge are desirous of entering into an agreement pursuant to the Shared Services Act in which deploying Recovery Specialists to opioid overdose victims within the Township will be provided by Woodbridge or its agents (the “**Shared Services Agreement**”); and

WHEREAS, in exchange for providing the Program for a period of one (1) year, effective as of March 1, 2019 and continuing until February 29, 2020, the Township shall pay Woodbridge the amount of Six Thousand Dollars (\$6,000.00) per year as an administrative fee, paid on a quarterly basis, and an additional Three Hundred Dollars (\$300.00) per response by a Recovery Specialist; and

WHEREAS, the Shared Services Agreement can be terminated by either the Township or Woodbridge, for any reason, upon sixty (60) days’ notice to the other party; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Shared Services 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 Shared Services Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation

with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

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

Section 4. This Resolution shall take effect immediately.

RESOLUTION _____

EXPLANATION: A resolution authorizing the execution of, and entry into, a Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, with 2019 Revisions, as Approved by the New Jersey Department of Law & Public Safety and the New Jersey Department of Education.

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

WHEREAS, the Township wants to authorize and direct the Chief of Police (“Chief”) to execute and enter into a certain “Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials,” with 2019 Revisions, and which has been Approved by the New Jersey Department of Law & Public Safety and the New Jersey Department of Education (the “Uniform Memorandum”), in order to govern the cooperation between education and law enforcement official with respect to a host of law enforcement and education related concerns; and

WHEREAS, the Township wants to direct and authorize execution of the Uniform Memorandum in the form appended hereto as Exhibit A, which is incorporated herein by reference, and which has been reviewed by legal counsel; and

WHEREAS, the Township Council desires to adopt this Resolution to authorize the entry into the Uniform Memorandum accordingly.

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

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

Section 2. The execution of the Uniform Memorandum by and hereby is, approved, all consistent with the above recitals, and at the request of the Superintendent of the New Jersey State Police with respect thereto.

Section 3. All pertinent Township personnel, including without limit the Mayor, the Chief, and the Township Clerk, be and hereby are authorized and directed to enter into the Uniform Memorandum, attached hereto as **Exhibit A**, and to coordinate as necessary to adhere to the terms and conditions thereof.

Section 4. This Resolution shall take effect immediately.

RESOLUTION _____

EXPLANATION: A Resolution approving a Settlement Agreement and Release with CB Restaurants, Inc. with respect to certain sewer charges.

WHEREAS, CB Restaurants, Inc., with its principal office located at 14504 Hertz Quail Springs Parkway, Oklahoma City, OK 73134 (“CB Restaurant”) is the beneficial owner of the leasehold interest in the Charlie Brown’s Restaurant located at 222 Plainfield Road in Edison, New Jersey (the “Restaurant”); and

WHEREAS, the Township of Edison, with its principal office located at 100 Municipal Boulevard, Edison, New Jersey 08817 (the “Township”), is a municipal corporation of the State of New Jersey, that provides sewer service to the Restaurant under Account Number 22-0036-240-00; and

WHEREAS, CB Restaurant disputes certain sewer charges (“Sewer Charges”) assessed by the Township to the Restaurant for calendar year 2018 (specifically, the 7/6/2018 Second Quarter and the 10/1/2018 Third Quarter due dates), which totaled Thirty-five thousand, Three Hundred Forty-Seven Dollars and Thirty-Four Cents (\$35,347.34), and which were paid for in full by CB Restaurant; and

WHEREAS, the Parties each deny any wrongdoing or liability with respect to the Sewer Charges as assessed and paid; and

WHEREAS, the Parties wish to fully, finally and completely resolve all existing and potential claims, damages and/or causes of action between them concerning this dispute over the Sewer Charges; and

WHEREAS, toward that end, the Parties have engaged in negotiations and, in the interests of resolving this matter without further delay and cost, have decided to settle this matter in substantially the form of Settlement Agreement appended hereto as **Exhibit A**; and

WHEREAS, the Township does not and shall not admit liability in connection with the Sewer Charges or otherwise, but is desirous of avoiding the cost and expense of a protracted dispute; and

WHEREAS, the Parties have negotiated settlement terms to fully and finally resolve all claims among them, including, but not limited to, all claims in connection with the Sewer Charges, in substantially the form attached hereto as **Exhibit A**, in consideration of payment in the amount of \$10,000.00 from the Township to CB Restaurant, in exchange for a mutual release of claims, all as set forth in the attached Agreement; and

WHEREAS, the Council desires to approve the settlement terms reached by the Parties in the form attached hereto as **Exhibit A**; and

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

1. The recitals are hereby incorporated as if restated herein in full.
2. The settlement agreement, in substantially the form attached hereto as **Exhibit A**, is hereby approved and accepted. The Mayor, along with any other necessary personnel, is authorized and directed to execute the settlement agreement consistent with the settlement terms therein set forth, and to enter such related agreements and take other such necessary and appropriate action as necessary to effectuate the settlement terms embodied within the Agreement.
3. This Resolution shall take effect immediately.

EXPLANATION: This Resolution authorizes the transfer of a portion of the vacated Harley Road to the adjacent property owner pursuant to *N.J.S.A. 40:60-28*.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, on February 27, 2019, the Municipal Council of the Township of Edison (“**Township**”) adopted Ordinance O.2039-2019, vacating a portion of the public street known as Harley Road, pursuant to *N.J.S.A. 40:67-1* (the “**Vacated Parcel**”); and

WHEREAS, pursuant to *N.J.S.A. 40:60-28*, where a municipality has or shall have vacated or released the public rights in vacated land, and if it be the owner of the fee of said land, the municipality may make a private sale of the lands so vacated to the adjoining property owner or owners; and

WHEREAS, the properties identified on the Tax Map of the Township as Block 1201, Lot 10, owned by Gerard J. Zagorski and Ruth A. Maher-Zagorski (the “**Zagorski Parcel**”), and Block 1202, Lot 1, owned by Michael Carloni (the “**Carloni Parcel**”), (the Zagorski Parcel and the Carloni Parcel, collectively, the “**Adjoining Properties**,”) are contiguous to the Vacated Parcel; and

WHEREAS, the Township desires to transfer fee simple title or a lesser interest in the Vacated Parcel, divided equally, to the owners of the Adjoining Properties on the condition that the construction or development of any structure is prohibited on the Vacated Parcel, and any deed transferring interest reflects this restriction; and

WHEREAS, the Municipal Council has determined to so authorize the transfer of the Vacated Parcel.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor is hereby authorized to take all action necessary to effectuate the transfers of the Vacated Parcel to the owners of the Adjoining Properties, pursuant to *N.J.S.A. 40:60-28*.
3. The Township Clerk is hereby authorized to forward original and certified copies of any necessary documents for recording with the Clerk of the County of Middlesex.
4. This Resolution shall take effect immediately.

EXPLANATION: With this resolution, the Township Council approves the receipt of the FY2019 Community Development Block Grant in the final amount of \$543,858 and approves the projects and activities funded by this grant.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2019 CONSOLIDATED ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2019 Community Development Block Grant in the amount of \$543,858;

WHEREAS, the Township can budget a total of \$543,858 to fund eligible 2019 activities that are attached and listed on the Amended Proposed Summary of FY19 Annual Action Plan Allocations, that will be carried out during the 2019 Program Year;

WHEREAS, A Public Hearing was held on February 20, 2019 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2019 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for \$543,858, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY19 Annual Action Plan Allocations and listed in the 2019 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY19 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2015 Consolidated Annual Plan.

Section 6. The CDBG Coordinator shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

EXPLANATION: A Resolution Authorizing a Refund for Overpayment of a Development Fee

EDISON TOWNSHIP

**RESOLUTION AUTHORIZING A REFUND FOR OVERPAYMENT
OF A DEVELOPMENT FEE**

WHEREAS, a Development Fee in the amount of \$2,249.00 was paid to the Township by property owner Bankim Desai with respect to certain development on his property; and

WHEREAS, it was subsequently determined that Mr. Desai qualified for an exemption from payment of the Development Fee in accordance with Section 30-1.4bii of the Township's Development Fee Ordinance and therefore is entitled to a refund in the amount paid to the Township of \$2,249.00.

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

1. The appropriate official of the Township is hereby authorized to draw a check to Bankimchan Desai at 3815 Park Avenue, Edison, NJ 08820, in the amount of \$2,249.00.
2. An original copy of this resolution shall be forwarded to the Municipal Housing Liaison.
3. This Resolution shall take effect immediately.

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 STO0000312, to the following:

Permit Number: DEV-0044

Opening Location: 243 W Prescott Ave

Block/Lot: 836/3

Applicant's Name & Address:

**DRS Home Development Inc
655 AMBOY AVE, SUITE # 107,
WOODBIDGE, NJ 07095**

Initial Deposit Date: 10/01/2018

Deposit Amount: \$5720.00

Paid by & refunded to:

**DRS Home Development Inc
655 AMBOY AVE, SUITE # 107,
WOODBIDGE, NJ 07095**

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

RESOLUTION 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 STO0000346, to the following:

Permit Number: DEV-0090

Opening Location:

CORWELLS RD, EXETER AVE AND FOX RD AT WOODBRIDGE AVE

Applicant's Name & Address:

**KEY-TECH LABORATORIES
210 MAPLE PL,
KEYPORT, NJ 07735**

Initial Deposit Date: 04/12/2019

Deposit Amount: \$200.00

Paid by & refunded to:

**KEY-TECH LABORATORIES
210 MAPLE PL,
KEYPORT, NJ 07735**

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 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 STO0000340, to the following:

Permit Number: DEV-0082

Opening Location: ON FLORENCE STREET IN FRONT OF 22 FLORENCE ST

Block/Lot: 242/37

Applicant's Name & Address:

**PARTNER ENGINEERING AND SCIENCE, INC.
611 INDUSTRIAL WAY WEST
SUITE A, EATONTOWN, NJ 07724**

Initial Deposit Date: 03/26/2019

Deposit Amount: \$200.00

Paid by & refunded to:

**LONG'S OWN ONE, LLC
2931 BRUNSWICK PIKE
LAWRENCEVILLE, NJ 08848**

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

Authorizing the refund of Fire Prevention Revenue Collected, but Not Required

WHEREAS, on the following dates, amount and payment type, Fire Permit fees were collected and posted in the total amount of \$216.00 from the indicated payer, food truck vendors with location and contact information provided on the list; and

Payer, Food Truck Vendor	Amount	Pay Type	Date
GiGi Halal Food. Ramy Nasrallah 134 W. 27th St, Bayonne, NJ 07002 862-371-4967	\$54.00	Check # 204	04/23/2019
Magic Mike's Smoked Meats. Mike Nurse 1788 Rensselaer Rd, Teaneck, NJ 07666 302-419-6348	\$54.00	Credit Card	04/23/2019
Sweet Concessions. Elena Lembo 45 Darrow St, South River, NJ 08882 732-407-7053	\$54.00	Check # 472	04/23/2019
The Empanada Truck. Jillian Mueller 207 Hanover St, Pemberton, NJ 08068 609-592-8074	\$54.00	Check # 1147	04/23/2019

WHEREAS, the Fire Marshal, Timothy S. Langan, reports and advises that such revenues were required as part of the application to the scheduled food truck event at Edison High School on May 4, 2019 that was canceled due to weather ; and

WHEREAS, applications have been made from the food truck vendors to the Fire Marshal for refunds of their paid \$54.00 permit fee, and the Fire Marshal advises that the requesters are entitled to refunds, since the fee is no longer required; and

WHEREAS, the Municipal Council of the Township of Edison desires to authorize the refund of these collected, but no longer required, revenue fees.

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 listing above for collected, but no longer required Fire Prevention Revenues totaling **\$216.00**, and that this Resolution shall take effect immediately.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES INC. FOR
THE PURCHASE OF SIX (6) ARMOR EXPRESS RAZOR IIIA BODY ARMOUR VESTS WITH STP FOR
THE DIVISION OF POLICE AUXILIARY**

WHEREAS, there is a need for six (6) Armor Express Razor IIIA Body Armor Vests with STP for the Division of Police Auxiliary; and

WHEREAS, LANIGAN ASSOCIATES INC., 496 Shrewsbury Avenue, Red Bank, NJ 07701 has been awarded State Contract Number 81348 under T-0106 Police and Homeland Security Equipment and Supplies - Statewide; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$5,730.00; and

WHEREAS, funds in the amount of \$2,865.00 have been certified to be available in the Police Department Clothing & Uniforms Account, Number 9-01-25-0240-000-032 and \$2,865.00 have been certified to be available in the Body Armor Fund Account, Number G-02-15-0240-706-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,730.00, and any other necessary documents, with LANIGAN ASSOCIATES INC. as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 81348 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,865.00** are available for the above in Account No **9-01-25-0240-000-032** and funds in the amount of **\$2,865.00** are available in Account No. **G-02-15-0240-706-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

