

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
MONDAY, FEBRUARY 24, 2020
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, the Sentinel and News India Times on December 13, 2019 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of November 25, 2019
 - b. Combined Meeting of February 10, 2020
5. **ADMINISTRATIVE AGENDA:**
FROM MAYOR THOMAS LANKEY:
 - a. Re-appointments of Members to the Fair Rental Housing Board.
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizes the settlement of litigation with Craig Aumack (\$1,500.00) (Resolution R.132-022020)
 - b. Resolution authorizing a Professional Services Contract for Veterinary Services (not to exceed \$65,000.00) (Resolution R.133-022020)
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through February 20, 2020 (Resolution R.114-022020)
 - b. Resolution authorizing refund in the amount of \$295,989.49 for redemption of tax sale certificates (Resolution R.115-022020)
 - c. Resolution canceling Tax Sales Certificates issued for erroneously billed (Resolution R.116-02020)
 - d. Temporary Emergency Appropriation (Resolution R.117-022020)
 - e. Resolution authorizing Cancellation and refund of Taxes for Exempted Disabled Veteran (Resolution R.118-022020)
10. **FROM THE DEPARTMENT OF LAW:**
 - a. Ordinance Codifies The Policy Of The Township Of Edison Regarding Military Leave Law For Township Employees (Ordinance O.2066-2020)

- b. Resolution authorizing Mott MacDonald to provide additional engineering services in connection with necessary calibration and model updates to the Water System Hydraulic Model supporting the Water Utility. (\$66,134.00) (Resolution R.127-022020)
 - c. Resolution authorizing Mott MacDonald to provide additional engineering services in connection with the development of a SCADA System for the Water Utility.(\$87,800.00) (Resolution R.128-022020)
 - d. Resolution authorizing Mott MacDonald to provide additional engineering services in connection with technical updates required for the GIS database supporting the Water Utility. (\$50,000.00) (Resolution R.129-022020)
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolutions refunding of Construction Permit Fees (Resolutions R. 119-022020 through R.121-022020)
 - b. This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project. (Resolution R.122-022020)
 - c. Resolution providing for the Township Acceptance of Public Bid No.19-05-07 – Edison Senior Center Emergency Generator and authorizing final payment, release of retainage and close out of project (Resolution R.123-022020)
 - d. Resolution Awarding Contract for Public Bid No.20-31-01 for NJDOT Municipal Aid FY 2018: Lindquist Park area Road Improvements (Resolution R.134-022020)
 - e. Resolution returning of Cash Performance Bond (Resolution R.135-022020)
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolutions to release Street Opening Escrows (Resolution R.124-022020 and R.125-022020)
 - b. Resolution Awarding Contract for Public Bid No. 20-01-13 Portable Salt Conveyor and Hopper (\$105,223.76) (Resolution R.126-022020)
13. **FROM THE CHIEF OF FIRE:**
- a. Resolution authorizing change order #1(additional funds) for the furnishing of Turnout Gear under the uniforms and equipment-division of Fire/Fire Prevention Contract to the Wilmer Public Safety Group (not to exceed \$40,000.00) (Resolution R.130-022020)
14. **FROM THE CHIEF OF POLICE:**
- a. Resolution authorizing the 2020 Distracted Driving Statewide Crackdown Grant application and Initiative. (Resolution R.131-022020)
15. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

16. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

**O.2065-2020 ORDINANCE ESTABLISHING THE NOT-TO-EXCEED
SALARIES OF TOWNSHIP OF EDISON COUNCIL
MEMBERS**

**O.2067-2020 AN ORDINANCE MODIFYING THE MEMBERSHIP
PARAMETERS OF THE HUMAN RELATIONS
COMMISSION OF THE TOWNSHIP OF EDISON**

17. **DISCUSSION ITEMS:**

Council President Ship-Freeman

a. None

Councilmember Brescher:

a. None

Councilmember Coyle

a. None

Councilmember Diehl

a. None

Councilmember Gomez

a. None

Councilmember Joshi

a. None

Councilmember Patil

a. None

18. **APPROVAL OF MINUTES:**

- a. Combined Meeting of November 25, 2019
- b. Combined Meeting of February 10, 2020

19. **COUNCIL PRESIDENT'S REMARKS**

20. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
a. Re-appointments of Donald Corrette and Sue Cason-O'Neill as Members to the Fair Rental Housing Board.

21. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

**O.2065-2020 ORDINANCE ESTABLISHING THE NOT-TO-EXCEED
SALARIES OF TOWNSHIP OF EDISON COUNCIL
MEMBERS**

**O.2067-2020 AN ORDINANCE MODIFYING THE MEMBERSHIP
PARAMETERS OF THE HUMAN RELATIONS
COMMISSION OF THE TOWNSHIP OF EDISON**

22. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, MARCH 11, 2020.**

**O.2066-2020 ORDINANCE CODIFIES THE POLICY OF THE
TOWNSHIP OF EDISON REGARDING MILITARY LEAVE
LAW FOR TOWNSHIP EMPLOYEES**

23. **PUBLIC COMMENT ON THE RESOLUTIONS**

24. **PROPOSED RESOLUTIONS**

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

Consent Agenda

R.114-022020 Resolution approving disbursements for the period ending February 20, 2020.

R.115-022020 Resolution authorizing refund in the amount of \$295,989.49 for redemption of tax sale certificates.

R.116-022020 Resolution canceling Tax Sales Certificates issued for erroneously billed.

R.117-022020 Temporary Emergency Appropriation

R.118-022020 Resolution authorizing Cancellation and refund of Taxes for Exempted Disabled Veteran.

R.119-022020 Resolutions refunding of Construction Permit Fees for Permit #2019-4725 for 11 Woerner Ct. in the amount of \$440.00.

- R.120-022020 Resolutions refunding of Construction Permit Fees for permit #2019-3218, for 40 Foley Avenue, in the amount of \$380.00.
- R.121-022020 Resolutions refunding of Construction Permit Fees for permit 2019-4081 for 48 Clive Hills, in the amount of \$575.00.
- R.122-022020 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.
- R.123-022020 Resolution providing for the Township Acceptance of Public Bid No.19-05-07 – Edison Senior Center Emergency Generator and authorizing final payment, release of retainage and close out of project.
- R.124-022020 Resolution to release Street Opening Escrow for Permit No. 0080,0086,0082,0083,0084 & 0085, for 13 Lahiere, 14 Lahiere, 20 Lahiere, 22 Lahiere, 24 Lahiere and 32 Dalton & 38 Dalton Place.in the amount of \$700.00 to Brennan Environmental, Inc.
- R.125-022020 Resolution to release Street Opening Escrow for Permit DEV-20-0182, Blk, 590.E, Lot 1, 281 Fleet Avenue, to Cursi Construction Inc. in the amount of \$9,238.60.
- R.126-022020 Resolution Awarding Contract for Public Bid No. 20-01-13 Portable Salt Conveyor and Hopper to Kimco USA, Inc. in the amount of \$105,223.76.
- R.127-022020 Resolution authorizing Mott MacDonald to provide additional engineering services in connection with necessary calibration and model updates to the Water System Hydraulic Model supporting the Water Utility in the amount of \$66,134.00.
- R.128-022020 Resolution authorizing Mott MacDonald to provide additional engineering services in connection with the development of a SCADA System for the Water Utility in the amount of \$87,800.00.
- R.129-022020 Resolution authorizing Mott MacDonald to provide additional engineering services in connection with technical updates required for the GIS database supporting the Water Utility in the amount of \$50,000.00.
- R.130-022020 Resolution authorizing change order #1(additional funds) for the furnishing of Turnout Gear under the uniforms and equipment-division of Fire/Fire Prevention Contract to the Wilmer Public Safety Group in an amount not to exceed \$40,000.00.
- R.131-022020 Resolution authorizing the 2020 Distracted Driving Statewide Crackdown Grant application and Initiative.
- R.132-022020 Resolution authorizes the settlement of litigation with Craig Aumack.
- R.133-022020 Resolution authorizing a Professional Services Contract for Veterinary Services to Garden Sate Veterinary in the amount not to exceed \$65,000.00.
- R.134-022020 Resolution Awarding Contract for Public Bid No.20-31-01 for NJDOT Municipal Aid FY 2018: Lindquist Park area Road Improvements.

R.135-022020 Resolution returning of Cash Performance Bond for Application Z53-2016
in Account #CP1807131N aka 49 Lincoln Highway, Block 673, Lot 7 in
the amount of \$1,587.50.

25. **ORAL PETITIONS AND REMARKS**

26. **ADJOURNMENT**

ORDINANCE O.2065-2020

EXPLANATION: An Ordinance establishing the not-to-exceed salaries of Township of Edison Council members.

WHEREAS, the municipal council (“Municipal Council”) of the Township of Edison (“Township”) seeks to establish the not-to-exceed salaries of the Council.

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

Section 1. The not-to-exceed annual base salaries for Council Members shall be as follows:

<u>Municipal Council</u>	<u>Salary (not-to-exceed)</u>
Council President	\$19,500.00
Councilperson	\$18,000.00

Section 2. The above salaries shall be adjusted annually commensurate with adjustments given to union employees in each year succeeding the adoption of this Ordinance.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The Chief Financial Officer of the Township is hereby authorized to transfer such sums as may be necessary to cover such payroll as authorized herein.

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

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

Section 6. This ordinance shall become effective upon final passage and publication according to law.

ORDINANCE O.2067-2020

EXPLANATION: An Ordinance modifying the membership parameters of the Human Relations Commission of the Township of Edison.

**AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER ____ ENTITLED "HUMAN RELATIONS
COMMISSION" BY REPEALING SAME IN ITS
ENTIRETY AND BY REPLACING IT WITH THE FOLLOWING**

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

Section I. Chapter ____ entitled "Human Relations Commission" is hereby repealed and deleted in its entirety, and replaced with a new Chapter to read as follows:

Section - Appointment of Voting Members.

The voting members of the Human Relations Commission (sometimes simply, the "Commission") shall consist of up to fifteen (15) voting members, who shall either reside and/or work in the Township of Edison and who shall serve without compensation. The Mayor shall appoint, with the advice and consent of the Township Council, the voting members with no consideration of political affiliation, a liaison from the Mayor to the Commission and designate the Chairperson or Co-Chairpersons. In addition to the foregoing, the Township Council shall appoint from among its members a liaison to the Human Rights Commission. The aggregate voting membership of the Commission shall be representative of the various racial, religious, national, cultural and other social groups within the Township of Edison, or the County of Middlesex. The appointment of one or more voting members younger than eighteen (18) years of age at the time of their appointment is permitted and, in fact, encouraged in order to promote a broad spectrum of understanding between all age groups. The initial term of all voting members of the Commission shall be staggered as follows:

- (a) 5 voting members shall be appointed for terms of 1 year;
- (b) 5 voting members shall be appointed for terms of 2 years;
- (c) 5 voting members shall be appointed for terms of 3 years.

Upon the expiration of the initial term of appointment, all subsequent voting appointees shall serve for a term of 3 years.

Section - Powers and Duties; Purpose.

The Human Relations Commission is hereby empowered to make recommendations for the development of policies and procedures in general, and for programs of formal and informal education, that will aid in eliminating all types of discrimination based on, but

not limited to, race, creed, religion, national origin, ancestry, disability, ethnicity, health, age, marital status, sexual orientation or gender, or the perception of these qualities.

Section - Term of Voting Members.

Five (5) voting members of the Commission shall serve for a one year term, five (5) voting members of the Commission shall serve for a two year terms, and five (5) voting members of the Commission shall serve for three year terms.

Section - Quorum.

Nine (9) voting members of the Human Relations Commission shall constitute a quorum for the transaction of business.

Section - Appointment of non-voting members; Advisory Committee; duties; term.

The Commission shall also have up to five (5) non-voting members, who shall reside in the Township of Edison, County of Middlesex, and/or the State of New Jersey, and who shall serve without compensation. The Mayor shall appoint, with the advice and consent of the Township Council, the non-voting members with no consideration of political affiliation. The term of all non-voting members of the Commission shall be for a term of 2 years. The non-voting members of the Commission shall comprise a standing Advisory Committee to the Commission, and its voting membership. In that capacity, the Advisory Committee shall be vested with the authority to conduct workshops and to otherwise facilitate the Powers and Duties of the Commission as set forth within this Chapter, all under the direction of the voting membership of the Commission.

Section II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

Section III. This Ordinance shall take effect upon final passage and publication according to law.

ORDINANCE O.2066-2020

Explanation: Codifies the policy of the Township of Edison (the "Township") regarding Military Leave Law for Township employees, not including temporary or seasonal employees, who are called to active military duty or service, or in-active duty training

WHEREAS, Executive Order No. 1-2019 establishes the policy of the Township of Edison (the "Township") regarding Military Leave Law for Township employees, not including temporary or seasonal employees, who are called to active military duty or service, or in-active duty training; and

WHEREAS, the municipal council ("Municipal Council") of the Township of Edison ("Township") seeks to amend and codify Executive Order No. 1-2019.

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

ACTIVE DUTY TRAINING AND/OR SERVICE, STATE OF NEW JERSEY NATIONAL GUARD (AIR/ARMY/NAVAL/STATE GUARD UNITS)

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to active duty training and/or service for any division of the New Jersey National Guard, in addition to any benefits, rights or privileges set forth in any state or federal law, is as follows:

The Township must allow leave with full pay for any period of State active duty. The Township must allow leave for up to 90 workdays per calendar year with full pay for any period of Federal active duty or active duty training. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional 90 days of Federal active duty or active duty training for that calendar year.

The employee will continue to accrue vacation, personal and sick time during each period of military leave.

After expiration of 90 paid workdays per calendar year,

The Township has no obligation to pay the employee.

If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.

If the employee chooses to suspend Township health benefits while on active duty training, said benefits will be reinstated immediately upon return to work.

The employee does not lose seniority while on active duty training.

The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or service that exceeds 90 paid days, but cannot be forced to do so.

ACTIVE DUTY TRAINING AND/OR SERVICE, FEDERAL RESERVES (ARMY/NAVAL/AIR FORCE/MARINE CORPS/COAST GUARD RESERVES & NATIONAL GUARD FROM OTHER STATES)

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to active duty training and/or service for

any division of the Federal Reserves, or for the National Guard from a state other than New Jersey, in addition to any benefits, rights or privileges set forth in any state or federal law is as follows:

The Township must allow up to 90 workdays per calendar year with full pay. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional 30 days of active duty training and/or service for that calendar year.

The employee continues to accrue vacation, personal and sick time during each period of military leave.

After expiration of 90 paid workdays per calendar year,

The Township has no obligation to pay the employee.

If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.

If the employee chooses to suspend Township health benefits while on active duty training/service, said benefits will be reinstated immediately upon return to work.

The employee does not lose seniority while on active duty training and/or service.

The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or service that exceeds 90 paid days, but cannot be forced to do so.

IN-ACTIVE DUTY TRAINING

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to in-active duty training, in addition to any benefits, rights or privileges set forth in any state or federal law is as follows:

The Township must allow the employee to attend in-active duty training without loss of time.

IV. SEVERABILITY

If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

V. EFFECTIVE DATE

This ordinance shall take effect in accordance with applicable law and will be retroactive to March 2, 2020.

RESOLUTION R.114-022020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING February 20, 2020.

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through, February 20, 2020.

FUND	AMOUNT
Current	\$22,622,600.27
Affordable Housing	17,939.83
Capital	142,199.70
Cash Performance	25,708.86
CDBG	720.00
Developers Escrow	33,222.25
Dog (Animal Control)	54,493.55
Federal Forfeited	0.00
Grant Funds	1,355.01
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	0.00
Sanitation Fund	16,026.03
Self Insurance	0.00
Sewer Utility	14,472.85
Tax Sale Redemption	121,249.20
Tree Fund	0.00
Tree Planting	60,998.32
Trust	181,827.14
Edison Water Utility	59,198.49
Edison Landfill Closure Trust	0.00
 TOTAL	 \$23,352,011.50

/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. 115-022020

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 **\$295,989.49**.

RESOLUTION R.116-022020

CANCELING TAX SALE CERTIFICATES SSUED FOR ERRONEOULY BILLED

WHEREAS, on properties located within the Township of Edison, known and described as follow, tax sale certificates were issued as with details below; and

TAX SALE CERTIFICATE ISSUED TO	19-00655	Outside	Malinowski, Jaroslaw (LH# 32)
BLOCK / LOT / QUALIFIER / LOCATION	1153 / 11	26 COLTON RD	
BEING OWNED BY	LEVY, G & V		
ISSUED DATE & ORIGINAL AMOUNT	12/16/2019	\$5,058.29	
TOTAL VALUE UP TO 04/06/2020	\$5,272.62		
PREMIUM PAID (if any)	\$7,300.00		
REASON FOR CANCELATION	SUSCCESSFUL COUNTY APPEAL FOR EXEMPTED TAXES		

WHEREAS, it has been brought to the Tax Collector's attention that the charges that initiated above certificate(s) were incorrectly billed as they were calculated from charges that shall not be billed in indicated property; and

WHEREAS, a Successful County Appeal Judgement was filed for the cancellation of the charges that created above tax sale certificates claiming that the property continue being exempted and therefore that tax sale certificate were issued in error; and

WHEREAS, The Tax Collector has investigated the matter and further advises that the certificates above were erroneously issued based on charges reversed by appeal, and they need to be cancelled from delinquent records, and any moneys being returned to the outside lien holders with appropriate fees and interest;

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 that tax sale certificates listed above be cancelled and removed from any delinquent record; and that the appropriate Municipal Officers be, and hereby authorized, to execute a cancellation and discharge of the aforementioned Tax Sale Certificates.

BE IT FURTHER RESOLVED that the appropriate officials of the Township are hereby authorized to draw checks to the outside lien holder, **Malinowski, Jaroslaw**, in the amounts specified above totaling **\$12,572.62**.

RESOLUTION R.117-022020

TEMPORARY EMERGENCY APPROPRIATION

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

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by April 30, 2020 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2020 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
NJDOT Municipal Aid-Lindquist Park Paving Project Grant	625,000.00
Municipal Alliance Grant	<u>89,712.00</u>
TOTAL CURRENT FUND	<u><u>714,712.00</u></u>

RESOLUTION R.118-022020

Authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran

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

WHEREAS, Attached listing includes veterans who have been determined to have suffered a 100% service-related disability, with the determination of said disability being retroactive to the indicated effective date; and their respective owned properties, identified with their block, lot and qualifier, were already billed for indicated tax year; and

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

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

WHEREAS, pursuant to Township Code Section 5-7(d) the listed applicants are also due a refund of property taxes paid from the effective date of the determination; and the Tax Collector has reviewed the applications, approvals and taxes paid and recommends that the listed applicants are entitled to receive refund of paid taxes in the amount indicated on the attached list.

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

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) property taxes be cancelled:
 - a. for the indicated quarters, tax years and amounts already billed, due and assessed as specified on the attached list totaling **\$6,211.20**
 - b. for any further amounts calculated by the Tax Collector for the current year after the setting of the tax rate and final assessment,
- 3) Appropriate official of the Township shall be, and is hereby, authorized to draw checks to the noted disabled parties for the taxes already paid, or paid any time after; for the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$6,211.20**, and any other further overpayment amount reflected in the account and related to this resolution.

RESOLUTION R.119-022020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for a Generator install for a senior, by Edison Heating & Cooling., Located at 191 Vineyard Road, Edison N.J. 08817

WHEREAS, on December 30, 2019, a Construction Permit #2019-4725 was paid for in the amount of \$574.00 by Edison Heating & Cooling, having offices at 191 Vineyard Road, Edison NJ 08817;

WHEREAS, the application was submitted for Generator for a Senior, located at 11 Woerner Ct, Edison NJ 08817, paid for by Edison Heating & Cooling contractor;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to Edison Heating & Cooling, in the amount of \$440.00 total construction permit fee, Less DCA & 20 percent review fee. Shall be refunded to the contractor, having offices at 191 Vineyard Road, Edison, N.J. 08817

WHEREAS, the Township Construction Official recommends the refund of Permit fee, Permit #2019-4725, in the amount of \$440.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$440.00 on construction permit fees posted by Edison Heating & Cooling, having offices at 191 Vineyard Road, Edison, N.J. Ewing, NJ 08638-1828, be refunded to the contractor in the amount of \$440.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$440.00 from the Refund of Revenue Fund to the Contractor, Edison Heating & Cooling, 191 Vineyard Road, Edison, NJ 08817

RESOLUTION R.120-022020

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

WHEREAS, on September 4, 2019, a Construction Permit fee, check #0122, permit #2019-3218, was posted in the total amount of \$502 by the contractor, Sunrun Installation Services., having offices at 26 Worlds Fair Dr. Somerset, N.J. 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 40 Foley Ave. By the hired contractor. Sunrun Installation Services, Inc. The resident has cancelled the job.

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was never done and the contractor is asking for a refund of permit cost in the amount of \$502.00 less DCA fee of \$27.00, less 20 percent of review fee \$95.00, the total refund in the amount of \$380.00 is the total refund for Sunrun Installation services., having offices at 26 Worlds Fair Dr. Somerset, NJ 08873;

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2019-3218, in the amount of \$380.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$380.00 on construction permit fees posted by Sunrun Installation Services, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$380.00 from the Refund of Revenue Fund to the Contractor, Sunrun Installation Services., having offices at 26 Worlds Fair Drive, Somerset, N.J. 08873

RESOLUTION R.121-022020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for a Generator install for a senior, residing at 48 Clive Hills, Edison N.J. 08820

WHEREAS, on November 13, 2019, a Construction Permit #2019-4081 was paid for in the amount of \$576.00 by W. Danley Electrical Co, having offices at 9 Federal Road, Monroe, NJ 08831;

WHEREAS, the application was submitted for Generator for a senior, located at 48 Clive Hills Road, Edison NJ 08820, Joan Wilson, paid for by W. Danley Electrical Co, contractor;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to W. Danley Electrical Co, in the amount of \$575.00 total construction permit fee Less \$1.00 DCA fee. This Shall be refunded to the contractor, having offices at, 9 federal Road, Monroe, N.J. 08831

WHEREAS, the Township Construction Official recommends the refund of Permit fee, Permit #2019-4081, in the amount of \$575.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$575.00 on construction permit fees posted by W. Danley Electrical Co., offices 9 Federal Road, Monroe, N.J. 08831 refunded to the contractor in the amount of \$575.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$575.00 from the Refund of Revenue Fund to the Contractor W. Danley Electrical Co, 9 Federal Road, Monroe, N.J. 08831

RESOLUTION R.122-022020

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for the 2015 Road Resurfacing Program – Various Streets – Phase III, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-31-03; and

WHEREAS, Schifano Construction Corporation, One Smalley Avenue, Middlesex, New Jersey 08846 was awarded a construction contract through resolution R. 714-102015 in a contract amount not to exceed \$3,013,027.77 for the project; and

WHEREAS, upon tabulation and review of as-built construction quantities and necessary field changes during construction, it has been determined by the Township Engineer that there is a net reduction of \$884,079.35 in the final construction costs resulting in a revised and final total construction contract amount of \$2,128,948.42, as detailed in the attached Change Order No. 1; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, and therefore recommends project acceptance, release of the performance bond and that final payment, including retainage, be made to Schifano Construction Corporation, in an amount of \$44,965.88 for a total construction contract as-built cost of \$2,128,948.42.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III, is deemed accepted by the Township of Edison, and that the performance bond shall be released and that final payment, including retainage, shall be made to Schifano Construction Corporation in an amount of \$44,965.88 for a total construction contract as-built cost of \$2,128,948.42, and that the remaining contract balance of \$884,079.35 be deducted from the contract, be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

RESOLUTION R.123-022020

RESOLUTION PROVIDING FOR TOWNSHIP ACCEPTANCE OF PUBLIC BID NO. 19-05-07 – EDISON SENIOR CENTER EMERGENCY GENERATOR AND AUTHORIZING FINAL PAYMENT, RELEASE OF RETAINAGE AND CLOSE OUT OF PROJECT

WHEREAS, the Township of Edison advertised for Public Bid No. 19-05-07 – Edison Senior Center Emergency Generator; and

WHEREAS, INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836 was awarded a contract through resolution R. 328-062019 in a contract amount not to exceed \$68,887.86 for the project; and

WHEREAS, the Township Engineer has reviewed the project and certifies the work has been completed, and therefore recommends project acceptance, release of the performance bond and that final payment, including retainage, be made to INNOVATIVE ELECTRICAL CONTRACTING, INC, in the amount of \$1,377.76 for a total contract cost of \$68,887.86.

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 project under Public Bid No. 19-05-07: Edison Senior Center Emergency Generator, is deemed accepted by the Township of Edison, and that the performance bond shall be released and that final payment, including retainage, shall be made to INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836 in the amount of \$1,377.76 for a total contract amount of \$68,887.86.

RESOLUTION R.124-022020

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 numbers STO0000126, STO0000127, STO0000128, STO0000129, STO0000130, STO0000131 & STO0000132 , to the following:

Permit Numbers: 0080, 0086, 0081, 0082, 0083, 0084 & 0085

Opening Locations: 13 Lahiere Ave, 14 Lahiere Ave, 20 Lahiere Ave, 22 Lahiere Ave, 24 Lahiere Ave, 32 Dalton Pl & 38 Dalton Pl

Applicant's Name & Address:

**BRENNAN ENVIRONMENT, INC.
19 CHATHAM RD
SUMMIT, NJ 07901**

Initial Deposit Date: 07/16/2014

Total Deposit Amount: \$ 700.00 (\$ 100.00 per permit)

Paid by & refunded to:

**BRENNAN ENVIRONMENT, INC.
19 CHATHAM RD
SUMMIT, NJ 07901**

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.125-022020

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 STO0000429, to the following:

Permit Number: DEV-20-0182

Opening Location: 281 FLEET AVE

Block/Lot: 590.E/1

Applicant's Name & Address:

**CURSI CONSTRUCTION INC
3808 FLEET AVE
SOUTH PLAINFIELD, NJ 07080**

Initial Deposit Date: 02/03/2020

Deposit Amount: \$ 9,238.60

Paid by & refunded to:

**CURSI CONSTRUCTION INC
3808 FLEET AVE
SOUTH PLAINFIELD, NJ 07080**

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.126-022020

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO KIMCO USA INC.
FOR ONE (1) PORTABLE SALT CONVEYOR AND HOPPER**

WHEREAS, bids were received by the Township of Edison on February 4, 2020 for Public Bid No. 20-01-13 Portable Salt Conveyor and Hopper; and

WHEREAS, KIMCO USA INC., 118 E. Trefz Drive, Marshall IL 62441, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$105,223.76; and

WHEREAS, funds in the amount of \$105,223.76 have been certified to be available in the Acqui. of Public Works Equipment Account Number C-04-15-1914-310-000; 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. All bids have been reviewed, and the bid submitted by KIMCO USA INC., 118 E. Trefz Drive, Marshall IL 62441, for one (1) portable salt conveyor and hopper is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$105,223.76 and any other necessary documents, with KIMCO USA INC., as described herein.
3. The 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 **\$105,223.76** are available for the above contract in Account No. **C-04-15-1914-310-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.127-022020

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with necessary calibration and model updates to the Water System Hydraulic Model supporting the Water Utility.

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, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

WHEREAS, the Township desires to authorize the Engineer to provide engineering services in connection with necessary calibration and physical updates to the Water System Hydraulic Model (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an agreement with the Engineer, in the amount of Sixty-Six Thousand One Hundred Thirty-Four Dollars (\$66,134.00), 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 \$66,134.00, 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 \$66,134.00.

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.128-022020

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with the development of a SCADA System for the Water Utility.

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, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

WHEREAS, the Township desires to authorize the Engineer to provide engineering services in connection with the development and installation of a Supervisory Control and Data Acquisition (“**SCADA**”) System to enable the control and monitoring of water purchased at the Suttons Lane Interconnection Chamber with Middlesex Water Company (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an agreement with the Engineer, in the amount of Eighty-Seven Thousand and Eight Hundred Dollars (\$87,800.00), 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 \$87,800.00, 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 \$87,800.00.

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.129-022020

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with technical updates required for the GIS database supporting the Water Utility.

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, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

WHEREAS, the Township desires to authorize the Engineer to provide engineering services in connection with necessary technical support for the development of a geographic information system (“**GIS**”) index of the Water Utility assets (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an agreement with the Engineer, in an amount not to exceed Fifty-Thousand Dollars (\$50,000.00), 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 an amount not to exceed \$50,000.00, 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 \$50,000.00.

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.130-022020

RESOLUTION AUTHORIZING CHANGE ORDER #1 (ADDITIONAL FUNDS) FOR THE FURNISHING OF TURNOUT GEAR UNDER THE UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION CONTRACT TO THE WITMER PUBLIC SAFETY GROUP IN AN AMOUNT NOT TO EXCEED \$40,000.00

WHEREAS, WITMER PUBLIC SAFETY GROUP, 104 Independence Way, Coatesville, PA 19320, was awarded Contract No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention through resolution R.217-042019 for the period of June 13, 2019- June 12, 2020 in the amount of \$200,000.00; and

WHEREAS, the Fire Division needs to purchase additional Turnout Gear in the amount of \$82,650.00 which will deplete the remaining balance of the contract dollar amount of \$200,000.00; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$40,000.00 with all prices, terms and conditions to remain the same for the remainder of the contract term; and

WHEREAS, the total amount of these additional funds, not to exceed \$40,000.00, 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 that Change Order #1 (additional funds) to the contract with WITMER PUBLIC SAFETY GROUP is hereby authorized in the amount not to exceed \$40,000.00 for a total amended contract amount of \$240,000.00.

RESOLUTION R.131-022020

**2020 Distracted Driving Statewide Crackdown
Grant Application and Initiative**

WHEREAS, the Division of Police wishes to apply for grant funding in the amount of \$24, 750.00 to provide an additional 450 manpower hours to crack down on distracted drivers; and

WHEREAS, the number of people killed nationwide in distraction-affected crashes were 3,166 in 2017. More of which occurred in urban areas than rural; and

WHEREAS, an enforcement crackdown is planned to combat violations related to distracted driving; and

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

WHEREAS; the project will involve increased enforcement from April 1-August 31, 2020; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares our support for the grant application and participation in the 2020 Distracted Driving Statewide Crackdown Grant between April 1-August 31, 2020 and pledges to increase awareness of laws pertaining to distracted drivers.

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

RESOLUTION R.132-022020

Explanation: This Resolution authorizes the settlement of litigation with Craig Aumack arising under the Open Public Records Act.

WHEREAS, in November of 2019, Craig Aumack had filed certain litigation against the Township of Edison (“Township”), with respect to his request under the Open Public Records Act (“OPRA”) for certain government records pertaining to the budget of the Township Fire Department, which litigation was captioned *Craig Aumack v. Township of Edison, et al.*, Docket No. MID-L-7330-19 (the “Litigation”); and

WHEREAS, following the filing of the Litigation, but before the Township answered the same, the parties were able to reach amicable resolution of the Litigation, including the production of the records sought by Mr. Aumack in the Litigation, and the payment of attorney’s fees and costs in the amount of \$1,500.00; and

WHEREAS, the Township, in consideration of the forgoing and the attendant cost and expense of continuing the Litigation, is desirous of authorizing the settlement and compromise of the same, including the authorization of the payment of \$1,500.00 for attorney’s fees and costs, all as aforesaid.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The settlement of the Litigation for the sum of \$1,500.00, be and hereby is, approved, and the appropriate Township personnel be and are hereby authorized and directed to process such payment to legal counsel for Mr. Aumack, the Law Offices of Walter M. Luers, LLC, in accordance with the invoice, W-9 and other information provided in connection with the resolution thereof.
3. This Resolution shall take effect immediately.

RESOLUTION R.133-022020

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

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

WHEREAS; the total amount of this contract shall be in the amount not to exceed \$65,000.00; and

WHEREAS, prior to contract GARDEN STATE VETERINARY SERVICES 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 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 \$65,000.00 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 Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.134-022020

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO LANCHA CONSTRUCTION CORP., FOR NJDOT MUNICIPAL AID FY 2018: LINDQUIST PARK AREA ROAD IMPROVEMENTS

WHEREAS, bids were received by the Township of Edison on February 7, 2020 for Public Bid No. 20-31-01 NJDOT Municipal Aid FY 2018: Lindquist Park Area Road Improvements; and

WHEREAS, LANCHA CONSTRUCTION CORP., 3090 Englishtown Rd, Jamesburg, NJ 08831, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$1,441,280.24; and

WHEREAS, funds in the amount of \$625,000.00 have been certified to be available in the NJDOT Municipal Aid-Lindquist Park Paving Project, Account G-02-20-0165-813-000 and funds in the amount of \$816,280.24 have been certified to be available in the Paving & Reconstruct of Various Streets Account, No. C-04-18-2028-107-000.

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

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

1. All bids have been reviewed, and the bid submitted by LANCHA CONSTRUCTION CORP., 3090 Englishtown Rd, Jamesburg, NJ 08831, for NJDOT Municipal Aid FY 2018: Lindquist Park Area Road Improvements is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,441,280.24 and any other necessary documents, with LANCHA CONSTRUCTION CORP., as described herein.
3. The 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 **\$625,000.00** are available for the above contract in Account No. **G-02-20-0165-813-000** and funds in the amount of **\$816,280.24** are available in Account No. **C-04-18-2028-107-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.135-022020

**EXPLANATION: Resolution Refunding Cash Performance to In Site Star Bucks 49
Application # Z53-2016 in Account # CP180713IN**

WHEREAS, the Township Engineer advises that an inspection has been made of Star Bucks (In Site) Application # **Z53-2016** - 49 Lincoln Highway Block: 673 Lot: 7 and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$1,587.50** plus accrued interest, if applicable on deposit in account # **CP180713IN** with the Township of Edison, principal being In Site Star Bucks49., having offices at 1400 -16th Street, Suite300 , Oak Brook, IL 60523 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$1,587.50** plus accrued interest, if applicable, on deposit in account # **CP180713IN** to the applicant, In Site Star Bucks49., having offices at 1400 - 16th Street, Suite300 , Oak Brook, IL 60523