

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, February 8, 2017
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 30, 2016 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of December 28, 2016
 - b. Worksession Meeting of January 9, 2017
 - c. Regular Meeting of January 11, 2017
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution accepting and adopting the Central Jersey Municipal Joint Insurance Fund for 2017 Safety Incentive Program.(Resolution R.059-022017)
 - b. Award of Contracts for Public Bid No. 16-02-03 Supplies for Office Equipment (Resolution R.060-022017 – R.063-022017)
 - c. Resolution awarding an Extraordinary Unspecifiable Services Contract for Public Information (Resolution R.085-022017)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through February 2, 2017 (Resolution R.055-022017)
 - b. Resolution authorizing refund in the amount of \$316,946.77for redemption of tax sale certificates (Resolution R.056-022017)
 - c. Resolution authorizing refund for Tax Overpayments totaling, \$9,270.19 (Resolution R.057-022017)
 - d. Temporary Emergency Appropriation (Resolution R.058-022017)
9. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution authorizing the development and submission of 2017 Investors Bank Foundation Grant application for Edison Municipal Alliance (Resolution R.081-022017)
 - b. Resolution authorizing the development and submission of 2017 Municipal Alliance H-Mart Grant application (Resolution R.082-022017)

- c. Resolution authorizing the development and submission of 2017 Municipal Alliance Wal-Mart Foundation Grant application (Resolution R.083-022017)
- d. Resolution authorizing the development and submission of 2017 Santander Bank Foundation Grant application (Resolution R.084-022017)

10. **FROM THE DEPARTMENT OF LAW:**

- a. Resolution authorizes the Mayor to execute the attached Developers Agreement with Edison Enterprises, LLC with respect to Block 56.20, Lot 20 (aka 860 New Durham Road) as shown on the Edison township Tax Map (Resolution R.064-022017)
- b. Resolution authorizes the Mayor to execute the Utility Engineering and Construction Agreement, UECA-08-Adaptive Design 1-176060, and associated documentation by and between the State of New Jersey Department of Transportation and the Township for verifications, design, protection, and/or relocation of certain utilities in the Township (Resolution R.065-022017)
- c. Resolution retaining Mott MacDonald LLC for the purpose of providing engineering services in connection with the Township's solicitation of proposal for a concession agreement for the Townships water and sewer systems (Resolution R.066-022017)
- d. An Ordinance amending the Township Code Chapter 37-62 to regarding requirements for temporary "Open House" real estate directional signs (O.1962-2017)
- e. Resolution referring the Beauty Rest Motel Redevelopment Plan (520 U.S. Route 1, aka Block 252, Lot 24.A and Block 254, Lot 19) in the Township to the Planning Board for review and comment pursuant to the Local Redevelopment and Housing law N.J.S.A. 40:A:12A-1, et seq. (Resolution R.086-022017)

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

- a. Resolution provides refund of Construction Permit (Resolution R.067-022017)
- b. Resolution provides for Township acceptance of the constructed improvements under Public Bid No. 16-53-01; Maintenance of At-Grade Quiet Zone Railroad Crossings, Inman Avenue (CR602) & Tingley Lane, authorizes a Corrective Change Order No. 1 for Final built quantities and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project. (Resolution R.068-022017).
- c. Award of Contract for Public Bid No. 16-19-01 Suttons Lane Baseball field Building Slab, Suttons Lane and Central Avenue (Resolution R.079-022017)
- d. Resolutions releasing of Tree Maintenance Bonds (Resolution R.087-022017 – R.093-022017)
- e. Resolution releasing of Maintenance Bond. (Resolution R.094-022017)
- f. Resolution authorizing a Performance Bond Reduction. (Resolution R.095-022017)

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

- a. Award of Contracts for Public Bid No.16-12-06 Lubricants, Fluid and Antifreeze (Resolutions R.069-022017 – R.071-022017).
13. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution authorizing a reimbursement for Yoga Program. (Resolution R.072-022017).
14. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Firefighters
 - b. Award of Contract for Public Bid No. 16-11-03 Fire Division Special Operations Vehicle (Resolution R.073-022017)
 - c. Award of Contract for Public Bid No. 16-07-27 Fire Pumper (Resolution R.074-022017).
15. **FROM THE CHIEF OF POLICE:**
- a. Resolution authorizing 2017 Distracted Driving Statewide Crackdown Grant (Resolution R. 075-022017)
 - b. Resolution Federal Highway Safety Fund 2017 Grant Approval (Resolution R.076-022017).
 - c. Resolution awarding a forty eight month lease for a Multi Function Copier (Resolution R.077-022017).
 - d. Resolution awarding a Contract/Purchase Order for Nine (9) Concealable Body Armor Vests (Resolution R.078-022017).
16. **FROM THE TOWNSHIP CLERK:**
- a. Resolution waving a permit fee for Catholic Charities. (Resolution R.080-022017)
 - b. Resolution approving a Person to Person Liquor License Transfer (Resolution R.096-022017)
17. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
18. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**
- O.1958-2017** BOND ORDINANCE PROVIDING FOR THE ANALYSIS OF
THE WATER AND SEWER SYSTEM APPROPRIATING
\$300,000 THEREFORE ISSUANCE OF \$285,000. BONDS OR
NOTES TO FINANCE PART OF THE COST THEREOF.
- O.1959-2017** BOND ORDINANCE FOR VARIOUS CAPITAL
IMPROVEMENTS APPROPRIATING \$15,000,000

THEREFORE AND AUTHORIZING THE ISSUANCE OF \$14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

O.1960-2017 ORDINANCE AUTHORIZING THE SURVEY, WETLANDS AND ENVIRONMENTAL INVESTIGATIONS (INCLUDING A PHASE II ENVIRONMENTAL SITE ASSESSMENT STUDY) A BUILDING HAZARD ANALYSIS AND GEOTECHNICAL SOIL BORINGS AT THE PROPERTY IDENTIFIED AS BLOCK 50, LOTS 12 AND 13 (AKA NATIONAL ROAD PUMP STATION).

O.1961-2017 ORDINANCE APPROPRIATING \$50,000. FROM THE CAPITAL IMPROVEMENT FUND FOR A FEASIBILITY STUDY IN CONNECTION WITH THE CONSTRUCTION OF A PARKING DECK ON AMBOY AVENUE IN AND BY THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

19. **COMMUNICATIONS:**

- a. Various emails received regarding Top Golf.

20. **DISCUSSION ITEMS:**

Council President Lombardi

- a. None

Councilmember Coyle

- a. None

Councilmember Diehl

- a. None

Councilmember Gomez

- a. None

Councilmember Patil

- a. None

Councilmember Sendelsky

- a. Resolution of Recognition

Councilmember Shah

- a. None

21. **CLOSED SESSION:**

a. Personnel

22. **APPROVAL OF MINUTES:**

- a. Combined Meeting of December 28, 2016
- b. Worksession Meeting of January 9, 2017
- c. Regular Meeting of January 11, 2017

23. **COUNCIL PRESIDENT'S REMARKS**

24. **RESOLUTION OF RECOGNITION:**

Resolution R.054-022017 A Citizen Recognition

25. **APPROVAL OF VOLUNTEER FIREFIGHTERS:**

Edison Volunteer Fire Company #1

Jarrett T. Jeffries

26. **UNFINISHED BUSINESS:**

ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION:

O.1958-2017 BOND ORDINANCE PROVIDING FOR THE ANALYSIS OF THE WATER AND SEWER SYSTEM APPROPRIATING \$300,000 THEREFORE ISSUANCE OF \$285,000. BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

O.1959-2017 BOND ORDINANCE FOR VARIOUS CAPITAL IMPROVEMENTS APPROPRIATING \$15,000,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

O.1960-2017 ORDINANCE AUTHORIZING THE SURVEY, WETLANDS AND ENVIRONMENTAL INVESTIGATIONS (INCLUDING A PHASE II ENVIRONMENTAL SITE ASSESSMENT STUDY) A BUILDING HAZARD ANALYSIS AND GEOTECHNICAL SOIL BORINGS AT THE PROPERTY IDENTIFIED AS BLOCK 50, LOTS 12 AND 13 (AKA NATIONAL ROAD PUMP STATION).

O.1961-2017 ORDINANCE APPROPRIATING \$50,000. FROM THE CAPITAL IMPROVEMENT FUND FOR A FEASIBILITY STUDY IN CONNECTION WITH THE CONSTRUCTION OF A PARKING DECK ON AMBOY AVENUE IN AND BY THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

27. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, FEBRUARY 22, 2017.**

O.1962-2017 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 37-62 TO REGARDING REQUIREMENTS FOR TEMPORARY "OPEN HOUSE" REAL ESTATE DIRECTIONAL SIGNS.

28. **PUBLIC COMMENT ON THE RESOLUTIONS**

29. **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.055-012017 Resolution approving disbursements for the period ending February 2, 2017.

R.056-022017 Resolution authorizing refund in the amount of \$316,946.77 for redemption of tax sale certificates.

R.057-022017 Resolution authorizing refund of tax overpayments, totaling \$ 9,270.19.

R.058-022017 Temporary Emergency Appropriation

R.059-022017 Resolution accepting and adopting the Central Jersey Municipal Joint Insurance Fund for 2017 Safety Incentive Program.

R.060-022017 Award of Contract for Public Bid No. 16-02-03 Supplies for Office Equipment to The Office Pal in an amount not to exceed \$24,000.00.

R.061-022017 Award of Contract for Public Bid No. 16-02-03 Supplies for Office Equipment to Office Needs in an amount not to exceed \$10,000.00.

R.062-022017 Award of Contract for Public Bid No. 16-02-03 Supplies for Office Equipment to The Tree House, Inc. in an amount not to exceed \$10,000.00

R.063-022017 Award of Contract for Public Bid No. 16-02-03 Supplies for Office Equipment to W.B. Mason Co., Inc. in an amount not to exceed \$36,000.00.

R.064-022017 Resolution authorizes the Mayor to execute the attached Developers Agreement with Edison Enterprises, LLC with respect to Block 56.20, Lot

20 (aka 860 New Durham Road) as shown on the Edison township Tax Map.

- R.065-022017 Resolution authorizes the Mayor to execute the Utility Engineering and Construction Agreement, UECA-08-Adaptive Design 1-176060, and associated documentation by and between the State of New Jersey Department of Transportation and the Township for verifications, design, protection, and/or relocation of certain utilities in the Township.
- R.066-022017 Resolution retaining Mott MacDonald LLC for the purpose of providing engineering services in connection with the Township's solicitation of proposal for a concession agreement for the Townships water and sewer systems.
- R.067-022017 Resolution provides refund of Construction Permit to Akash Patel for 83 Overbrook in the amount of \$3,582.00 for permit #2017-0112.
- R.068-022017 Resolution provides for Township acceptance of the constructed improvements under Public Bid No. 16-53-01; Maintenance of At-Grade Quiet Zone Railroad Crossings, Inman Avenue (CR602) & Tingley Lane, authorizes a Corrective Change Order No. 1 for Final built quantities and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.
- R.069-022017 Award of Contract for Public Bid No.16-12-06 Lubricants, Fluid and Antifreeze to Craft Oil Corp. in an amount not to exceed \$10,000.00.
- R.070-022017 Award of Contract for Public Bid No.16-12-06 Lubricants, Fluid and Antifreeze to Lubenet, LLC in an amount not to exceed \$75,000.00.
- R.071-022017 Award of Contracts for Public Bid No.16-12-06 Lubricants, Fluid and Antifreeze to David Weber Oil Co. in an amount not to exceed \$20,000.00.
- R.072-022017 Resolution authorizing a reimbursement for Yoga Program to Boma Brigs in the amount of \$480.00.
- R.073-022017 Award of Contract for Public Bid No. 16-11-03 Fire Division Special Operations Vehicle to First Priority Emergency Vehicles in the amount of \$359,947.64.
- R.074-022017 Award of Contract for Public Bid No. 16-07-27 Fire Pumper to Spartan Motors USA in the amount of \$982,798.00.
- R.075-022017 Resolution authorizing 2017 Distracted Driving Statewide Crackdown Grant.
- R.076-022017 Resolution Federal Highway Safety Fund 2017 Grant Approval.
- R.077-022017 Resolution awarding a forty eight month lease for a Multi Function Copier to Ricoh American Corp for Records Bureau in an amount not to exceed \$8,697.60.
- R.078-022017 Resolution awarding a Contract/Purchase Order for Nine (9) Concealable Body Armor Vests to Lanigan Associates, Inc. in the amount of \$8,595.00.
- R.079-022017 Award of Contract for Public Bid No. 16-19-01 Suttons Lane Baseball Field Building Slab, Suttons Lane and Central Avenue to Athletic Fields of America in the amount of \$193,500.00.
- R.080-022017 Resolution waving a permit fee for Catholic Charities for the installation of an additional doorway for increased safety and security.

- R.081-022017 Resolution authorizing the development and submission of 2017 Investors Bank Foundation Grant application in the amount of \$5,000.00.
- R.082-022017 Resolution authorizing the development and submission of 2017 Municipal Alliance H-Mart Grant application in the amount of \$10,000.00.
- R.083-022017 Resolution authorizing the development and submission of 2017 Municipal Alliance Wal-Mart Foundation Grant application in the amount of \$2,000.00.
- R.084-022017 Resolution authorizing the development and submission of 2017 Santander Bank Foundation Grant application in the amount of \$3,000.00.
- R.085-022017 Resolution awarding an Extraordinary Unspecifiable Services Contract for Public Information to Jaffee4 Communications, Inc. in an amount not to exceed \$44,400.00.
- R.086-022017 Resolution referring the Beauty Rest Motel Redevelopment Plan (520 U.S. Route 1, aka Block 252, Lot 24.A and Block 254, Lot 19) in the Township to the Planning Board for review and comment pursuant to the Local Redevelopment and Housing law N.J.S.A. 40:A:12A-1, et seq.
- R.087-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 1015, Lot 6, aka 10 Sky Top Road.
- R.088-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 1023, Lot 5 aka 27 Maida Road.
- R.089-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk.411, Lot 5.S aka 8 Addalia Drive.
- R.090-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 1228, Lot 17 aka 7 Boxwood Circle.
- R.091-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 497. Lot 10 aka 24 Revere Blvd.
- R.092-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 287, lot 1, 2.A,4.A & 17.F, aka 1704 Woodbridge Avenue.
- R.093-022017 Resolution authorizing the release of Tree Maintenance Bond for Blk. 590, Lot 16 aka 10 Olsen Avenue.
- R.094-022017 Resolution authorizing the release of Maintenance Bond for Blk. 398, Lot 18 aka Mill Road.
- R.095-022017 Resolution authorizing the reduction of a Performance Bond for Blk. 198.L, Lot 37.04, aka TopGolf.
- R.096-022017 Resolution approving a Person to Person Liquor License Transfer from Ashford TRS Sapphire V, LLC d/b/a/ Courtyard by Marriott to CP Edison LL, LLC d/b/a Courtyard by Marriott.

30. **COMMUNICATIONS:**

- a. Various emails received regarding Top Golf.

31. **ORAL PETITIONS AND REMARKS**

32. **ADJOURNMENT**

O.1958-2017

BOND ORDINANCE PROVIDING FOR THE ANALYSIS OF THE WATER AND SEWER SYSTEMS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$285,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the analysis of Township's water and sewer system in anticipation of the expiration of agreement with the private operator for the water system and possible privatization of the sewer system, including engineering, financial, legal and audit of same and preparation of recommendations for capital improvements including implementation of such capital improvements as may be recommended; such analysis to include identification of alternative structures for ownership, operation and financing of such system and required capital improvements to same, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be

determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the

taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

O.1959-2017

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$15,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$15,000,000, and further including the aggregate sum of \$750,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$14,250,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	Estimated Maximum Amount of <u>Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of self-contained breathing apparatus, self-contained breathing apparatus bottles, self-contained breathing apparatus masks/bags, a fire pumper and emergency generators, including all related costs and expenditures incidental thereto.	\$1,050,000	\$997,500	10 years
b) Upgrades to lighting, courts and fields, including all work and materials necessary therefor and incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$500,000	\$475,000	15 years
c) Paving and reconstruction of various streets, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$6,000,000	\$5,700,000	10 years
d) Upgrades to radios, upgrades to Sally Port and building security and the acquisition of mobile and portable radios, computers, furniture, ballistic shields, external defibrillators, mobile data computers/digital in car videos, and a pick-up truck,			

including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$2,500,000	\$2,375,000	5 years
e) The acquisition of equipment for the Department of Public Works, including all related costs and expenditures incidental thereto.	\$1,000,000	\$950,000	15 years
f) Various projects, improvements and repairs to municipally owned buildings throughout the Township, including all work and materials necessary therefor and incidental thereto.	\$2,000,000	\$1,900,000	15 years
g) The acquisition of computer equipment, including all related costs and expenditures incidental thereto.	\$200,000	\$190,000	5 years
h) The acquisition of various Township (non-passenger) vehicles, including all related costs and expenditures incidental thereto.	\$250,000	\$237,500	5 years
i) Preliminary, planning and engineering expenses in connection with various road and drainage projects throughout the Township, including all related costs and expenditures incidental thereto.	\$1,500,000	\$1,425,000	10 years
TOTAL:	<u>\$15,000,000</u>	<u>\$14,250,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may

lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.18 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$14,250,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,050,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the [ARule](#)) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

O.1960-2017

EXPLANATION: An Ordinance authorizing the survey, wetlands and environmental investigations (including a Phase II Environmental Site Assessment study), a building hazard analysis and geotechnical soil borings at the property identified as Block 50, Lots 12 and 13 (aka National Road Pump Station).

WHEREAS, the Township of Edison (the “Township”) is the owner of property commonly known as Block 50, Lots 12 and 13 (aka National Road Pump Station) on the tax map of the Township of Edison (the “Township Parcel”); and

WHEREAS, Middlesex Water Company seeks an easement over the Township Parcel for the survey, wetlands and environmental investigations (including a Phase II Environmental Site Assessment study), a building hazard analysis and geotechnical soil borings at the Township Parcel; and

WHEREAS, the Township has determined that granting an easement to Middlesex Water Company substantially in the form attached hereto (the “Deed of Easement”) for the purpose of permitting Middlesex Water Company to survey, conduct wetlands and environmental investigations (including a Phase II Environmental Site Assessment study), a building hazard analysis and geotechnical soil borings under the terms and conditions in the Deed of Easement would be in the best interests of the Township; and

WHEREAS, pursuant to the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, an ordinance is required to authorize and approve the attached Deed of Easement.

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

1. The Township Council hereby authorizes and approves the Easement substantially in the form attached hereto.
2. The Township Council hereby authorizes the Mayor, Township Administrator, Township Clerk, Township Attorney, Chief Financial Officer and other necessary Township Officials to execute, deliver and accept the Easement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Deed of Easement and this Ordinance.
3. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

O. 1961-2017

ORDINANCE APPROPRIATING \$50,000 FROM THE CAPITAL IMPROVEMENT FUND FOR A FEASIBILITY STUDY IN CONNECTION WITH THE CONSTRUCTION OF A PARKING DECK ON AMBOY AVENUE IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. \$50,000 is hereby appropriated from the Capital Improvement Fund of the Township of Edison, in the County of Middlesex, New Jersey (the "Township") for a feasibility study in connection with the construction of a parking deck on Amboy Avenue, including all related costs and expenditures incidental thereto.

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

O.1962-2017

EXPLANATION:An Ordinance amending the Township Code Chapter 37-62 to regarding requirements for temporary “Open House” real estate directional signs.

ORDINANCE

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

WHEREAS, the Township desires to amend the Township Code of General Ordinances (the “**Code**”) to include provisions allowing the use of “Open House” directional signs by licensed real estate professionals; and

WHEREAS, the Township desires to maintain uniformity throughout the Code by amending Chapter 37-62 “Sign Regulations,” to read as follows (additions are underlined and deletions are in [brackets]).

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 37 “Zoning” of the Code to read as follows:

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

37-62 SIGN REGULATIONS.

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

37-62.3 Definitions.

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

Open House Sign means the temporary “Open House” sign licensed real estate agents may display on the day of a real estate open house from 11:00a.m. to 6:00p.m., consisting of a metal “A” frame design with maximum face size of two (2) feet by two (2) feet, which shall not be permanently affixed to the ground or other fixed object, such as a tree or utility pole, and shall not obstruct any sight triangles at intersections or driveways, but shall be properly ballasted so as to remain in place and which shall identify the real estate broker sponsoring the open house to include his/her address and telephone number.

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

37-62.4 Exempt Signs

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

s. Temporary “Open House” signs.

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

37-62.6 Prohibited Sign Features.

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

b. No portion of any sign shall be located within or suspended over a public right-of-way or pedestrian walkway, except for United Community Fund, temporary “Open House” real estate sales signs, Edison rescue squads, hospitals and official Township functions. With regard to temporary “Open House” real estate sales signs, the following requirements apply: 1) temporary “Open House” real estate signs may be displayed on the day of the open house from 11:00a.m. to 6:00p.m.; 2) temporary “Open House” real estate signs may be located in the public right-of-way but not on or within any street, sidewalk, sight triangle, or on any pole or tree; 3) these signs shall be metal “A” frame design with maximum face size of two (2) feet by two (2) feet and identify the real estate broker sponsoring the open house, to include his/her address and telephone number on the sign; 4) the real estate broker sponsoring the open house shall be responsible for complying with the provisions of this subsection, particularly the installation and removal of the sign at the designated times proved for within this section; 5) no “Open House” sign shall be placed on private property without prior written permission from the property owner; 6) no balloons or other attention grabbing devices shall be attached to any “Open House” sign; and 7) any violation of the provisions of this subsection shall be punishable under the general violation provisions of this Code.

3. 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.

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

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

RESOLUTION R.055-022017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING FEBRUARY 2, 2017

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through February 2, 2017.

FUND	AMOUNT
Current	\$18,273,651.00
Affordable Housing	30,361.45
Capital	241,707.29
Cash Performance	0.00
CDBG	35,016.54
Developers Escrow	0.00
Dog (Animal Control)	17,161.00
Federal Forfeited	639.00
Grant Funds	3,088.11
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,056,139.19
Sanitation Fund	80,987.41
Sewer Utility	143,641.59
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	0.00
Trust	502,328.35
Water Operating Fund	
TOTAL	\$20,384,720.93

/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.056-022017

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 **\$316,946.77**.

RESOLUTION R.057-022017

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 **\$9,270.19**.

RESOLUTION R.058-022017

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 March 20, 2017 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2017 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>
Data Processing-Other Expenses	48,495.00
Building & Ground-Other Expenses	3,000.00
Future Taxation Unfunded-Tax Appeals Note Principal 2012	1,900,000.00
Special Emergency Note Principal 2013	182,400.00
Future Taxation Unfunded-Tax Appeals Note Principal 2015	2,030,833.00
TOTAL CURRENT FUND	<u><u>4,164,728.00</u></u>

TOWNSHIP OF EDISON

COUNTY OF MIDDLESEX ,STATE OF NEW JERSEY

RESOLUTION R.059-022017

**RESOLUTION ACCEPTING AND ADOPTING THE CENTRAL JERSEY MUNICIPAL JOINT
INSURANCE FUND'S 2017 SAFETY INCENTIVE PROGRAM**

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

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

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

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

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

WHEREAS, the new Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the CENTRAL JIF has adopted the 2017 SAFETY INCENTIVE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

NOW; THEREFORE, BE IT RESOLVED, by the Township Council of Edison County of Middlesex, State of New Jersey that the Central Jersey Municipal Joint Insurance Fund SAFETY INCENTIVE PROGRAM be adopted by the Township of Edison.

RESOLUTION R.060-022017

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE OFFICE PAL FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-02-03-Supplies for Office Equipment; and

WHEREAS, THE OFFICE PAL, P.O. Box 2, Lakewood, NJ 08701, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$24,000.00, 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 and as submitted on the summary spreadsheets.

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 THE OFFICE PAL, P.O. Box 2, Lakewood, NJ 08701 for Supplies for Office Equipment 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 \$24,000.00, and any other necessary documents, with THE OFFICE PAL.

RESOLUTION R.061-022017

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO OFFICE NEEDS FOR THE
FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on November 10, 2016, for Public Bid No. 16-02-03-Supplies for Office Equipment; and

WHEREAS, OFFICE NEEDS, 1120 Raritan Rd., Clark, NJ 07066 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00 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 and as submitted on the summary spreadsheets.

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 OFFICE NEEDS, 1120 Raritan Rd., Clark, NJ 07066 for Supplies for Office Equipment 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 \$10,000.00 and any other necessary documents, with OFFICE NEEDS.

RESOLUTION R.062-022017

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE TREE HOUSE, INC. FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on November 10, 2016, for Public Bid No. 16-02-03-Supplies for Office Equipment; and

WHEREAS, THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00 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 and as submitted on the summary spreadsheets.

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 THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 for Supplies for Office Equipment 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 \$10,000.00 and any other necessary documents, with THE TREE HOUSE, INC.

RESOLUTION R.063-022017

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO W. B. MASON CO., INC. FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on November 10, 2016, for Public Bid No. 16-02-03-Supplies for Office Equipment; and

WHEREAS, W. B. MASON CO. INC., 21 Commerce St., Cranbury, NJ 08512 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$36,000.00 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 and as submitted on the summary spreadsheets.

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

1. All bids have been reviewed, and the bid submitted by W. B. MASON CO., INC., 21 Commerce St., Cranbury, NJ 08512 for Supplies for Office Equipment 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 \$36,000.00 and any other necessary documents, with W. B. MASON CO., INC.

RESOLUTION R.064-022017

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison Enterprises, LLC, with respect to Block 56.20, Lot 20 (aka 860 New Durham Road) as shown on the Edison Township tax map.

WHEREAS, the property identified as Block 56.20, Lot 20 as shown on the Edison Township tax map (the "**Property**," commonly referred to as 860 New Durham Road) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by the Edison Enterprises, LLC ("**Developer**") for the approval of a preliminary and final major site plan, with associated design waivers and variances, to construct a four (4) story hotel on the Property (the "**Project**"); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on June 16, 2015 (the "**Resolution**"); and

WHEREAS, the Resolution and the Code of the Township of Edison require the developer to enter into a developer's agreement with the Township of Edison (the "**Township**") in connection with the Project; and

WHEREAS, the developer's agreement attached hereto between the Township and Developer (the "**Agreement**") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, 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.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION R.065-022017

EXPLANATION: A resolution authorizing the Mayor to execute the Utility Engineering and Construction Agreement, UECA-08-AdaptiveDesign1-176060, and associated documentation, by and between the State of New Jersey Department of Transportation and the Township for verification, design, protection, and/or relocation of certain utilities in the Township.

WHEREAS, the municipal council of the Township of Edison (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) finds it in the best interest to enter into an agreement with the State of New Jersey Department of Transportation (the “**State**”) for verification, design, protection and/or relocation of certain utilities in the Township (the “**Agreement**”) (attached hereto as **Exhibit A**); and

WHEREAS, the relocation of certain utilities in the Township by the State is a result of the State’s undertaking with regard to implementation of adaptive traffic signals in the Township; and

WHEREAS, pursuant to *N.J.S.A. 27:7-44.9*, the State is to bear the cost of relocating public utility and cable television facilities, to accommodate highway construction and improvement projects; and

WHEREAS, the Township’s legal right to occupy public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by the Agreement; and

WHEREAS, the Township professional have reviewed the Agreement as to form and substance and recommends to the Municipal Council that the Mayor enter into the Agreement on behalf of the Township; and

WHEREAS, the Municipal Council hereby authorizes the Mayor to execute the Agreement and associated documents attached hereto.

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

4. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as **Exhibit A**, 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.
5. The Township Clerk is hereby authorized to forward the Agreement and associated documents to the State.
6. This Resolution shall take effect immediately.

RESOLUTION R.066-022017

EXPLANATION: A Resolution retaining Mott MacDonald LLC for the purpose of providing engineering services in connection with the Township's solicitation of proposal for a concession agreement for the Townships water and sewer systems.

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

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

WHEREAS, pursuant to the LPCL, the Township issued a Request for Proposals for Engineering Services, RFP 16-09, seeking proposals from qualified individuals and firms to provide engineering services in connection with the Township solicitation of proposals for a concession agreement, the negotiation of such concession agreement and the securing of all applicable approvals required for the implementation of same under law (the "**Engineering Services**"); and

WHEREAS, the Township evaluated the responses submitted by various firms for Engineering Services and determined that Mott MacDonald LLC, 111 Wood Avenue South, Iselin, New Jersey 08830 ("**Mott**") shall provide the Engineering Services at a cost not to exceed \$286,800.00.

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 retain Mott at a cost of not to exceed \$286,800.00 for Engineering Services.
- Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Mott for its Engineering Services not to exceed \$286,800.00.
- 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.

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

RESOLUTION R.067-022017

WHEREAS, on January 10,2017, a Construction Permit fee, check #248, permit #2017-0112, was posted in the total amount of \$4,773.00 by the homeowner, Akash Patel ; and

WHEREAS, the application was submitted for a first floor renovation and second floor addition at 83 Overbrook Ave Edison, NJ 08817,

WHEREAS, appropriate documents have been submitted to the Township indicating that the work is no longer being done, therefore appropriate that the municipal permit fee in the amount of \$3,582.00, derived from the \$4,773.00 total construction permit fee less the \$170.00 DCA fee, less the \$100.00 Certificate fee and less the 20% plan review fee of \$921.00 be refunded to the homeowner, Akash Patel ; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2017-0112, in the amount of \$3,582.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$3,582.00 on construction permit fees posted by Akash Patel for 83 Overbrook Ave be refunded to the homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$3,582.00 from the Refund of Revenue Fund to the homeowner, Akash Patel, 83 Overbrook Avenue, Edison, NJ 08817.

RESOLUTION R.068-022017

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-53-01: Maintenance of At-Grade Quiet Zone Railroad Crossings, Inman Avenue (CR 602) & Tingley Lane, Edison Township; 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 Maintenance of At-Grade Quiet Zone Railroad Crossings, Inman Avenue (CR 602) & Tingley Lane, Township of Edison, Middlesex County, New Jersey under Public Bid No. 16-53-01; and

WHEREAS, Tracks Unlimited, LLC, 1140 Globe Avenue, Mountainside, NJ 07092 was awarded a construction contract through resolution R.809-112016 in a contract amount not to exceed \$143,675.00 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 increase of \$2,710.10 in the final construction costs resulting in a revised and final total construction contract amount of \$146,385.10, 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 following receipt of a two-year maintenance bond; and that final payment, including retainage, be made to Tracks Unlimited, LLC, in an amount of \$21,783.10 for a total construction contract as-built cost of \$146,385.10.

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. 16-53-01: Maintenance of At-Grade Quiet Zone Railroad Crossings, Inman Avenue (CR 602) & Tingley Lane, is deemed accepted by the Township of Edison, and that the performance bond shall be released upon receipt of a fully executed Maintenance Bond, and that final payment, including retainage, shall be made to Tracks Unlimited, LLC., in an amount of \$21,783.10 for a total construction contract as-built cost of \$146,385.10.

RESOLUTION R.069-022017

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CRAFT OIL CORP. D/B/A
PETRO CHOICE FOR LUBRICANTS, FLUIDS AND ANTIFREEZE**

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, CRAFT OIL CORP., D/B/A PETRO CHOICE., 950 King George Road, Fords, NJ 08863, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00 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 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 CRAFT OIL CORP., D/B/A PETRO CHOICE, 950 King George Road, Fords, NJ 08863 for Lubricants, Fluids and Antifreeze, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00, and any other necessary documents, with CRAFT OIL CORP., D/B/A PETRO CHOICE as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.071-022017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DAVID WEBER OIL CO. FOR LUBRICANTS, FLUIDS AND ANTIFREEZE

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$20,000.00 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 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 DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072 for Lubricants, Fluids and Antifreeze, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, and any other necessary documents, with DAVID WEBER OIL CO. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.070-022017

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO LUBENET, LLC FOR
LUBRICANTS, FLUIDS AND ANTIFREEZE**

WHEREAS, bids were received by the Township of Edison November 10, 2016 for Public Bid No. 16-12-06-Lubricants, Fluids and Antifreeze; and

WHEREAS, LUBENET, LLC, 136 Morgan Avenue, Brooklyn, NY 11237, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$75,000.00 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 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 LUBENET, LLC, 136 Morgan Avenue, Brooklyn, NY 11237 for Lubricants, Fluids and Antifreeze, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$75,000.00, and any other necessary documents, with LUBENET, LLC as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.072-022017

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
BOMA BRIGGS FOR THE AEROBICS & YOGA PROGRAMS**

WHEREAS Boma Briggs made payment in the amount of \$480.00 for her participation in the Aerobics Program at the Minnie B. Veal and the Stelton Community Centers and the Yoga Program at the Minnie B. Veal Community Center; and

WHEREAS Boma Briggs is a registered Edison Senior Citizen and these programs are free for registered Edison seniors.

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 \$480.00 to Boma Briggs, 120 Michael St., Edison, NJ 08820, which amount represents the fees for Aerobics and Yoga.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$480.00 are available in Account #7-01-55-0291-000-000.

Q:brigs sr resolution
1/31/17 dwt

RESOLUTION R.073-022017

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
FIRST PRIORITY EMERGENCY VEHICLES INC. FOR THE PURCHASE OF TWO (2) SPECIAL
OPERATION VEHICLES WITH EXTENDED WARRANTIES FOR THE DIVISION OF FIRE**

WHEREAS, bids were received by the Township of Edison on December 23, 2016 for Public Bid No. 16-11-03 FIRE DIVISION SPECIAL OPERATIONS VEHICLE for the Division of Fire; and

WHEREAS, FIRST PRIORITY EMERGENCY VEHICLES INC., 2444 Ridgeway Blvd, Manchester, NJ 08759 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase for two (2) special operation vehicles with extended two year warranties shall not exceed \$359,947.64 (\$177,773.82 per vehicle and a total of \$4,400.00 - \$2,200.00 each - for the extended warranties); and

WHEREAS, funds in the amount of \$359,947.64 have been certified to be available in the Acquisition of Fire Pumpers, Vehicles and Radio Account, number C-04-15-1914-265-000; and

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

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

1. All bids have been reviewed, and the bid submitted by FIRST PRIORITY EMERGENCY VEHICLES INC., 2444 Ridgeway Blvd, Manchester, NJ 08759 for the purchase of two (2) special operation vehicles, with extended warranties, for the Division of Fire, 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 \$359,947.64, and any other necessary documents, with FIRST PRIORITY EMERGENCY VEHICLES INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$359,947.64** are available for the above in Account No. **C-04-15-1914-265-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.074-022017

**RESOLUTION ACCEPTING BID AND AWARDED CONTRACT TO
SPARTAN MOTORS USA D/B/A SPARTAN ER FOR THE PURCHASE OF THREE (3) FIRE PUMPERS
AND EXTENDED WARRANTIES FOR THE DIVISION OF FIRE**

WHEREAS, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-07-27 FIRE PUMPER for the Division of Fire; and

WHEREAS, SPARTAN MOTORS USA D/B/A SPARTAN ER 907 7TH Avenue North, Brandon, SD 57005, submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase for three (3) fire pumpers with extended two year warranties shall not exceed \$1,474,197.00 (\$484,999.00 per fire pumper and a total of \$19,200.00 - \$6,400.00 each - for the extended two year warranty); and

WHEREAS, funds in the amount of \$982,798.00 have been certified to be available in the Acquisition of Fire Pumpers, Vehicles and Radio Account, Number C-04-15-1914-265-000 and funds in the amount of \$491,399.00 have been certified to be available in the Acquisition Of Self-Contained Breathing Apparatus and Fire Pumper Account, number C-04-16-1948-100-000; and

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

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

1. All bids have been reviewed, and the bid submitted by SPARTAN MOTORS USA D/B/A SPARTAN ER, 907 7TH Avenue North, Brandon, SD 57005 for the purchase of three (3) fire pumpers with extended warranties for the Division of Fire, 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 \$1,474,197.00, and any other necessary documents, with SPARTAN MOTORS USA D/B/A SPARTAN ER as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$982,798.00** are available for the above in Account No. **C-04-15-1914-265-000** and funds in the amount of **\$491,399.00** are available in Account No. **C-04-16-1948-100-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.075-022017

**2017 DISTRACTED DRIVING STATEWIDE CRACKDOWN
GRANT APPLICATION AND INITIATIVE**

WHEREAS, the Division of Police wishes to apply for grant funding in the amount of \$5500.00 to provide additional manpower hours to crack down on distracted drivers; and

WHEREAS, the number of people killed nationwide in distraction-affected crashes were 3,179 in 2014. An estimated 431,000 people were injured in motor vehicle crashes involving a distracted driver; 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 1-21, 2017; 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 2017 Distracted Driving Statewide Crackdown Grant between April 1-21, 2017 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.076-022017

**FEDERAL HIGHWAY SAFETY FUND 2017
GRANT APPROVAL**

WHEREAS, the Division of Police has been approved for grant funding in the amount of \$19,550.00 to provide additional manpower hours for speed enforcement as well as to combat distracted driving and to purchase speed enforcement equipment; and

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

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

WHEREAS; the project will involve increased enforcement from October 1, 2016 through September 30, 2017; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its acceptance of the grant monies and participation in the Federal Highway Safety Fund Grant Program 2017.

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

RESOLUTION R.077-022017

RESOLUTION AWARDING FORTY EIGHT MONTH LEASE FOR A MULTI FUNCTION COPIER TO RICOH AMERICAS CORPORATION FOR THE DIVISION OF POLICE - RECORDS BUREAU

WHEREAS, The Division of Police-Records Bureau is in need of a new multi function machine that copies, prints, scans and faxes; and

WHEREAS, RICOH USA CORPORATION, 19 Chapin Rd., P.O. Box 2008, Pine Brook, NJ 07058 has been awarded State Contract Number 40467 under G-2075-Copiers, Maintenance and Supplies; and

WHEREAS, the lease shall be forty eight (48) months in the amount of \$181.20 per month, \$2,174.40 per year, not to exceed \$8,697.60 for the term of the lease; and

WHEREAS, this Ricoh MP4054SPG includes 36,000 black and white per quarter (black and white overages \$.0069 each) and 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 \$8,697.60, 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 forty eight month lease for \$181.20 per month, \$2,174.40 per year, not to exceed \$8,697.60 for the term of the lease and any other necessary documents, with RICOH USA CORPORATION, 19 Chapin Rd., P.O. Box 2008, Pine Brook, NJ 07058 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. 40467/G-2075.

RESOLUTION R.078-022017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES, INC. FOR THE PURCHASE OF NINE (9) CONCEALABLE BODY ARMOR VESTS FOR THE DIVISION OF POLICE

WHEREAS, there is a need for nine (9) Concealable Body Armor Vests for the Division of Police; and

WHEREAS, LANIGAN ASSOCIATES, INC., 496 Shrewsbury Avenue, Tinton Falls, 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 \$8,595.00 (\$955.00 for each vest); and

WHEREAS, funds in the amount of \$8,595.00 have been certified to be available in the Body Armor Fund Grant Account, Number G-02-16-0240-706-000; 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 \$8,595.00, 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 **\$8,595.00** are available for the above in Account No. **G-02-16-0240-706-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.079-022017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ATHLETIC FIELDS OF AMERICA FOR THE CONSTRUCTION OF A CONCRETE FOUNDATION AND FLOOR SLAB AT THE SUTTONS LANE BASEBALL FIELD BUILDING, SUTTONS LANE AND CENTRAL AVENUE, EDISON

WHEREAS, bids were received by the Township of Edison on February 1, 2017 for Public Bid No. 16-19-01 SUTTONS LANE BASEBALL FIELD BUILDING SLAB, SUTTONS LANE AND CENTRAL AVENUE; and

WHEREAS, ATHLETIC FIELDS OF AMERICA, 145 River Road, Montville, NJ 07045 submitted the sole, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$193,500.00; and

WHEREAS, funds in the amount of \$193,500.00 have been certified to be available in the Park Renovations and Improvements Account, Number C-04-14-1872-375-000; and

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

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

1. The sole bid, submitted by Athletic Fields of America, 145 River Road, Montville, NJ 07045 for the construction of Suttons Lane baseball field building slab, has been determined to be the sole, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$193,500.00, and any other necessary documents, with Athletic Fields of America 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 \$193,500.00 are available for the above contract in Account No. C-04-14-1872-375-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.080-022017

WHEREAS, Catholic Charities, has requested a waiver of any and all permit and/or application fees for Installing additional doorway for increased safety and security, 89 Truman Drive, Edison.

WHEREAS, under the building code, Catholic Charities as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees for Installing additional doorway for increased safety and security, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Catholic Charities.

RESOLUTION R.081-022017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Investors Bank Foundation has grant funds available, through its FY16 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$5,000.00 from the Investors Bank Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the Investors Bank Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Investors Bank Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, February 8, 2017.

RESOLUTION R.082-022017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, H-Mart has grant funds available, through its FY17 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities *H-Mart* serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$10,000.00 from *H-Mart*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from *H-Mart*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by *H-Mart* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of Wednesday, February 8, 2017.

RESOLUTION R.083-022017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Wal-Mart Foundation has grant funds available, through its FY17 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities *Sam's Club and Wal-Mart* serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$2,000.00 from the *Wal-Mart Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Wal-Mart Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by *Wal-Mart Foundation* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of Wednesday, February 8, 2017.

RESOLUTION R.084-022017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *Santander Bank Foundation* has grant funds available, through its FY16 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$3,000.00** from the *Santander Bank Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Santander Bank Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Santander Bank Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, February 8, 2017.

RESOLUTION R.085-022017

RESOLUTION AUTHORIZING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT FOR PUBLIC INFORMATION SERVICES TO JAFFE COMMUNICATIONS INC.

WHEREAS, it is necessary for the Township of Edison to better communicate with its residents; and to raise public awareness about municipal services, programs and initiatives; and

WHEREAS, the Municipal Council (“Municipal Council”) of the Township of Edison (“Township”) has determined that it is in its best interests and those of Township residents to engage a qualified communications firm, 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 “extraordinary unspecifiable services” as it may require; and

WHEREAS, Jaffe Communications Inc. (“Jaffe”) has an excellent reputation in the area of public relations and public affairs and has sufficient staff to handle communications issues which may arise from time to time in the Township; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Jaffe as its public relations consultant and seek to enter a contract for services with Jaffe for 2017, on a month-to month basis (“Services Contract”) to provide for same; and

WHEREAS, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5(1)(a)(ii)*, allows for the awarding of a contract for "extraordinary unspecifiable services" without public advertising for bids, which is applicable here considering the nature of the public awareness and image consulting services and the difficulty in drafting specifications for the fulfillment of same; and

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

WHEREAS, the Services 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 services under the Services Contract may include, but are not limited to, public relations consulting; and

WHEREAS, compensation for the services included under the Services Contract shall be rendered at the rate of \$3,700.00 per month, payable monthly in the amount not to exceed \$44,400.00, as set forth in the Services Contract; and

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

NOW, THEREFORE, IT IS 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 Mayor or his designee is hereby authorized and directed to execute the Services Contract with Jaffe Communications for public relations consulting services.

3. The Services Contract is awarded without competitive bidding as an "extraordinary unspecifiable service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because of the nature of the work to be done and the difficulty in drafting specifications for same.
4. No payments in excess of the "not-to-exceed" amount of \$44,400.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
7. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
8. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
9. The designated administrative official of the Township shall file a certificate as required by *N.J.A.C. 5:34-2.3* which describes why the Services Contract meets the requires requirements of *N.J.S.A. 40A:11-5(1)(a)(ii)*, which shall be kept on file in the office of the Township Clerk.

CERTIFICATION

I hereby certify that funds in the amount of **\$44,400.00** are available for the above contract in Account No. **7-01-20-0100-006-029**, subject to and contingent upon appropriation of sufficient funds in the 2017 temporary and/or permanent budget.

Nicholas Fargo
Chief Financial Officer

Date

RESOLUTION R.086-022017

EXPLANATION: A Resolution referring the Beauty Rest Motel Redevelopment Plan (520 U.S. Route 1 aka Block 252, Lot 24.A and Block 254, Lot 19) in the Township, to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “Redevelopment Law”), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “Township Council”) of the Township of Edison (the “Township”), by way of Resolution R.519-072016, adopted July 27, 2016, authorized and directed the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the property identified as 520 U.S. Route 1, and more commonly known as Block 252, Lot 24.A and Block 254, Lot 19 on the Township’s tax maps (the “Study Area”), and to determine that the Study Area meets the criteria for a Non-Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on September 19, 2016, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on September 28, 2016, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 252, Lot 24.A and Block 254, Lot 19 (also known as 520 U.S. Route 1) as an “area in need of redevelopment” (“Redevelopment Area”) in accordance with the Redevelopment Law;

WHEREAS, by commission of the Municipal Council, the Planning Consultant has prepared a redevelopment plan for the Redevelopment Area entitled the “Beauty Rest Motel Redevelopment Plan” (“Redevelopment Plan,” attached hereto as *Exhibit A*); and

WHEREAS, the Municipal Council desires to refer the Redevelopment Plan to the Planning Board for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

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. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Clerk of the Township shall forward a copy of this Resolution and the Redevelopment Plan to the Planning Board for review.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.087-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Royal Builders RB, LLC, for 10 Skytop Road, Edison, NJ; Block 1015, Lot 6; Tree Permit #13-096; Account #7763396560

WHEREAS, on November 16, 2014, Royal Builders RB, LLC posted Tree Maintenance Bond fees in the amount of \$450.00, with Check No. 1081 on deposit with the Township of Edison in account #7763396560 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #13-096, on the property identified as 10 Skytop Road, Block 1015, Lot 6, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$450.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$450.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$450.00, plus any accrued interest as applicable, on deposit in Account #7763396560 to Royal Builders RB, LLC, 10 Skytop Road, Edison, NJ 08820, for the referenced property at 10 Skytop Road, Edison, NJ, 08820, Block 1015, Lot 6.

RESOLUTION R.088-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Mei Zhen Chen, for 27 Maida Road, Edison, NJ; Block 1023, Lot 5; Tree Permit #10-131; Account #7761963516

WHEREAS, on October 25, 2011, Mei Xhen Chen posted Tree Maintenance Bond fees in the amount of \$675.00, with Check No. 417 on deposit with the Township of Edison in account #7761963516 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-131, on the property identified as 27 Maida Road, Block 1023, Lot 5, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$675.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$675.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus any accrued interest as applicable, on deposit in Account #7761963516 to Mei Zhen Chen, 1008 Arlington Avenue, Fl 1, Plainfield, NJ 07060, for the referenced property at 27 Maida Road, Edison, NJ, 08820, Block 1023, Lot 5.

RESOLUTION R.089-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Dominick Guido, for 8 Addalia Drive, Edison, NJ; Block 411, Lot 5.S; Tree Permit #07-077; Account #7760237714

WHEREAS, on May 23, 2007, Dominick Guido – Candyland Academy posted Tree Maintenance Bond fees in the amount of \$1,215.00, with Check No. 520 on deposit with the Township of Edison in account #7760237714 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-077, on the property identified as 8 Addalia Drive, Block 411, Lot 5.S, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,215.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,215.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,215.00, plus any accrued interest as applicable, on deposit in Account #7760237714 to Dominick Guido – Candyland Academy, 80 Tingley Lane, Edison, NJ 08820, for the referenced property at 8 Addalia Drive, Edison, NJ, 08820, Block 411, Lot 5.S.

RESOLUTION R.090-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Smital and Rita Patel, for 7 Boxwood Circle, Edison, NJ; Block 1228, Lot 17; Tree Permit #14-015; Account #7763396487

WHEREAS, on November 3, 2014, Smital & Rite Patel posted Tree Maintenance Bond fees in the amount of \$1,050.00, with two separate money orders on deposit with the Township of Edison in account #7763396487 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #14-015, on the property identified as 7 Boxwood Circle, Block 1228, Lot 17, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,050.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,050.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,050.00, plus any accrued interest as applicable, on deposit in Account #7763396487 to Smital and Rita Patel, 7 Boxwood Circle, Edison, NJ 08820, for the referenced property at 7 Boxwood Circle, Edison, NJ, 08820, Block 1228, Lot 17.

RESOLUTION R.091-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Pushpa & Rasik Patel, for 24 Revere Blvd., Edison, NJ; Block 497, Lot 10; Tree Permit #10-049; Account #7761963490

WHEREAS, on October 11, 2011, Pushpa & Rasik Patel posted Tree Maintenance Bond fees in the amount of \$525.00, with Check No. 830 on deposit with the Township of Edison in account #7761963490 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-049, on the property identified as 24 Revere Blvd., Block 497, Lot 10, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$525.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$525.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$525.00, plus any accrued interest as applicable, on deposit in Account #7761963490 to Pushpa & Rasik Patel, 24 Revere Blvd., Edison, NJ 08820, for the referenced property at 24 Revere Blvd., Edison, NJ, 08820, Block 497, Lot 10.

RESOLUTION 092-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Anton Nader, Edison Raritan Investors, LLC, for 1704 Woodbridge Avenue, Edison, NJ; Block 287, Lots 1, 2.A, 4.A, & 17.F; Tree Permit #08-133; Account #7760275085

WHEREAS, on October 17, 2008, Anton Nader of Edison Raritan Investors, LLC posted Tree Maintenance Bond fees in the amount of \$1,845.00, with Check No. 1757 on deposit with the Township of Edison in account #7760275085 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-133, on the property identified as 1704 Woodbridge Avenue., Block 287, Lots 1, 2.A, 4.A, & 17.F, Edison, NJ, 08817;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,845.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,845.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,845.00, plus any accrued interest as applicable, on deposit in Account #7760275085 to Anton Nader of Edison Raritan Investors, LLC, 8 Winchester Drive, Scotch Plains, NJ 07076, for the referenced property at 1704 Woodbridge Avenue, Edison, NJ, 08817, Block 287, Lots 1, 2.A, 4.A, & 17.F.

RESOLUTION R.093-022017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Masjid Al-Wali, for 10 Olsen Avenue, Edison, NJ; Block 590, Lot 16; Tree Permit #07-71-A; Account #7761963839

WHEREAS, on November 8, 2012, Masjid Al-Wali posted Tree Maintenance Bond fees in the amount of \$9,900.00, with Check No. 22-010378 on deposit with the Township of Edison in account #7761963839 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-71-A, on the property identified as 10 Olsen Avenue., Block 590, Lot 16, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$9,900.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$9,900.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$9,900.00, plus any accrued interest as applicable, on deposit in Account #7761963839 to Masjid Al-Wali, 3 Cedarwood Drive, Edison, NJ 08820, for the referenced property at 10 Olsen Avenue, Edison, NJ, 08820, Block 590, Lot 16.

RESOLUTION R.094-012017

EXPLANATION: Resolution Releasing Maintenance Surety Bond SU1114130 under application No. P29-05/06 to Middlesex Logistics Owner, LLC, c/o Jay V. Minchilli, Executive Director, J.P. Morgan Asset Management, Global Real Assets, 270 Park Avenue, 7th Floor, NY1-K149, New York, NY 10012-2014 for 549 Mill Road, Block 398, Lot 18, Edison, NJ

WHEREAS, the Township Engineer advises that an inspection has been made of 59 Mill Road, Block 398, Lot 18, Application #P29-05/06, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on October 31, 2014, Middlesex Logistics Owner, LLC posted a Maintenance Surety Bond # SU1114130 in the amount of \$597,903.60 with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Maintenance Bond # SU1114130 in the amount of \$597,903.60. The principal being Middlesex Logistics Owner, LLC having offices at 270 Park Avenue, 7th Floor, NY1-K149, New York, NY 10012-2014, and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond # SU1114130 in the amount of \$597,903.60.

RESOLUTION R.095-022017

Top Golf Development; Top Golf USA Edison, LLC
Block 198.L, Lot 37.04

Performance Bond Reduction & Cash Bond Reduction

WHEREAS, Top Golf USA Edison, LLC posted a Performance Surety Bond # PB01733100017 on November 19, 2015 of the Philadelphia Indemnity Insurance Company, Inc., in the amount of \$1,137,951.88, posted by Top Golf USA Edison, LLC, having offices at 8750 N. Central, Expressway #1200, Dallas, TX 75231 to guarantee the installation of improvements for the project known as Top Golf located in Block 198.L and Lot 37.04 and designated Application #P42-07/8; and

WHEREAS, a Cash Performance Bond was posted on December 15, 2015, by Check #60800 of Bank of America, in the amount of \$126,439.10, on deposit in account 7763342597; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a bond reduction is in order; and

WHEREAS, it is the recommendation of the Township Engineer that the Performance Bond be reduced by 70%, as authorized by Section 39-12.19(d)1 of the Township Ordinance, from \$1,137,951.88 to \$341,385.56; and

WHEREAS, it is further the recommendation of the Township Engineer that the Cash Performance Bond, posted by Top Golf USA Edison, LLC, be reduced by 70%, from \$126,439.10 to \$37,931.73, therefore refunding the amount of \$88,507.37; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Performance Bond hereinabove mentioned be reduced to \$341,385.56, by virtue of a substitute bond or endorsement to the Performance Bond presently in place, until such time as Final Acceptance is granted.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$88,507.37, plus accrued interest as applicable, on deposit in Account #7763342597 to Top Golf USA Edison, LLC having offices at 8750 N. Central, Expressway #1200, Dallas, TX 75231 with the sum of \$37,931.73 remaining on deposit until such time as Final Acceptance is granted

RESOLUTION R.096-022017

EXPLANATION: A Resolution authorizing and approving the Person-to-Person transfer of the Plenary Retail Consumption License (Hotel/Motel Exception) held by Ashford TRS Sapphire V LLC d/b/a/ Courtyard Marriott to CP Edison, LL, LLC d/b/a Courtyard by Marriott with respect to business premises to be located at 3105 Woodbridge Avenue, Edison, NJ 08837

WHEREAS, an application has been filed with the Township of Edison (“Township”) for a Person-to-Person transfer of the Plenary Retail Consumption Liquor License (Hotel/Motel Exception) No. 1205-36-066-001 (“License”), issued to Ashford TRS Sapphire V, LLC. (“Seller”) to CP Edison, LL, LLC (“Applicant”) to be used at Applicant’s business location at 3105 Woodbridge Avenue.

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

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

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

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

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby approves the Person-to-Person transfer of the License to the Applicant as to business premises now to be located at 3105 Woodbridge Avenue, effective February 8, 2017.
3. The Township Clerk is hereby directed to endorse the Applicant’s current license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to CP Edison LL,LLC at business premise to be located at 3105 Woodbridge Avenue.
4. This Resolution shall take effect immediately.

(New License No. 1205-36-066-002)