

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, February 22, 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 January 25, 2017
 - b. Combined Meeting of February 8, 2017
5. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
 - a. Appointment of a member to the Environmental Commission.
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing the development and submission of 2017 Edison Township Environmental Commission Open Space Stewardship Grant (Resolution R.108-022017)
 - b. Award of Contract for Public Bid No. 16-10-25 Collision Repairs. (Resolution R.110-022017 and R.111-022017)
 - c. Award of Contract/Purchase Order for upgrade to Avaya Phone System for Six Firehouses (Resolution R.112-022017)
 - d. Award of Contract/Purchase Order for Data Switches for Six Firehouses(Resolution R.113-022017)
 - e. Resolution authorizing additional funds furnishing of Electrical Services for Phone System Upgrade at Six Firehouses (Resolution R.114-022017)
 - f. Resolution awarding a renewal contract for fuel (Resolution R.115-022017 and R.116-022017)
 - g. Resolution awarding additional contract/purchase order for GPS real time tracking systems for Township Vehicles (Resolution R.117-022017).
 - h. Resolution approving the Memorandum of Agreement between the Township of Edison and the International Association of Firefighters, Local No. 2883(Resolution R.126-022017)

9. **FROM THE DEPARTMENT OF FINANCE:**

- a. Report of Disbursements through February 16, 2017 (Resolution R.096-022017)
- b. Resolution authorizing refund in the amount of \$447,723.66 for redemption of tax sale certificates (Resolution R.097-022017)
- c. Resolution authorizing refund for tax overpayments totaling \$8,996.01(R.099-022017)
- d. Resolution authorizing refund for Sewer Tax overpayments totaling \$2,498.17 (Resolution R.100-022017).
- e. Resolution authorizing overpayment refund caused by Successful Tax court appeal with Freeze Act provision (Resolution R.101-022017)
- f. Resolution authorizing overpayment refund caused by Successful Tax court appeal (Resolution R.102-022017 and R.104-022017)

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

- a. Resolution authorizing extension of tax grace period for 1st Quarter 2017 (Resolution R.105-022017)
- b. Resolution designation redeveloper and authorizing execution of the Redevelopment Agreement with Carmax Auto Superstores, Inc. for the property identified on the Township Tax Maps as Block 198.L, Lot 39 (aka 1015 Route 1, Clayton Block) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.(Resolution R.106-022017)
- c. 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.109-022017)
- d. Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex for the County of Middlesex to provide a properly license Health Officer to the Township (Resolution R.107-022017)
- e. Ordinance amending Chapter 37 of the Township of Edison Code of General Ordinances to amend the G-B and G-GH General Business Districts to include a convenience store with fuel station as a permitted use. (Ordinance O.1963-2017)
- f. Ordinance authorizing the private sale of Block 922, Lot 11.D on the tax maps of the Township (located on Nicholson Avenue) an undersized land not needed for public use pursuant to N.J.S.A. 40A:12-13 (Ordinance O.1964-2017)
- g. Resolution authorizing the execution of a Shared Services Agreement with the Borough of Metuchen and Middlesex County for the construction of Playground, Safety Surfacing and fencing at the Whitman Avenue Park in Edison (Resolution R.129-022017).

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

- a. Resolution authorizing release of balance of Performance Bond and Cash Performance Bond (Resolution R.103-012017)

- b. Resolution provides for a Senior Resident refund of construction permit fees (Resolution R.118-022017)
 - c. Resolutions Award of Contract for Public Bid No. 16-30-01 2016 Road Resurfacing Program – Various Street Contracts (Resolution R.124-022017 and R.125-022017)
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution authorizing the purchase of Automotive and Light Duty Truck Parts through Somerset County Cooperative Pricing System (Resolution R.120-022017)
 - b. Award Contract/Purchase Order for the furnishing of Maintenance and repair for Heavy Duty Vehicles (Resolution R.121-022017)
 - c. Award Contract/Purchase Order for the furnishing of Snow Plow Parts (Resolution R.122-022017)
 - d. Award a renewal contract for emergency traffic signal repairs (Resolution R.123-022017).
13. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution authorizing a reimbursement for the YAP Program (Resolution R.127-022017)
 - b. Resolution authorizing a reimbursement for the Kids Fun Club Program (Resolution R.128-022017)
14. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Fire Fighters.
15. **FROM THE CHIEF OF POLICE:**
- a. Award of Contract for Public Bid No. 17-03-07 Remanufactured Police Automatic Transmissions (Resolution R.119-022017)
16. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
17. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**
- O.1962-2017** AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 37-62 TO REGARDING REQUIREMENTS FOR TEMPORARY “OPEN HOUSE” REAL ESTATE DIRECTIONAL SIGNS.
18. **COMMUNICATIONS:**
- a. None
19. **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. None

Councilmember Shah

a. None

20. **CLOSED SESSION:**

a. Personnel

21. **APPROVAL OF MINUTES:**

- a. Combined Meeting of January 25, 2017
- b. Combined Meeting of February 8, 2017

22. **ADMINISTRATIVE AGENDA:**

FROM MAYOR THOMAS LANKEY:

a. Appointment of Charles Backmann to the Environmental Commisison.

23. **COUNCIL PRESIDENT'S REMARKS**

24. **APPROVAL OF VOLUNTEER FIRE FIGHTERS:**

Raritan Engine Company #1

Mark M. Tarlow

Edison Volunteer Fire Company #

Michael J. Wright

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

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

26. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY,**

O.1963-2017 ORDINANCE AMENDING CHAPTER 37 OF THE TOWNSHIP OF EDISON CODE OF GENERAL ORDINANCES TO AMEND THE G-B AND G-GH GENERAL BUSINESS DISTRICTS TO INCLUDE A CONVENIENCE STORE WITH FUEL STATION AS A PERMITTED USE.

O.1964-2017 ORDINANCE AUTHORIZING THE PRIVATE SALE OF BLOCK 922, LOT 11.D ON THE TAX MAPS OF THE TOWNSHIP (LOCATED ON NICHOLSON AVENUE) AN UNDERSIZED LAND NOT NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-13.

27. **PUBLIC COMMENT ON THE RESOLUTIONS**

28. **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.097-022017 Resolution approving disbursements for the period ending February 22, 2017.

R.098-022017 Resolution authorizing refund in the amount of \$447,723.66 for redemption of tax sale certificates.

R.099-022017 Resolution authorizing refund of tax overpayments, totaling \$ 8,996.01

R.100-022017 Resolution authorizing refund for Sewer Tax overpayments totaling \$2,498.17.

R.101-022017 Resolution authorizing overpayment refund caused by Successful Tax court appeal with Freeze Act provision for Blk. 212, Lot 41.01, Jersey Global LLC in the amount of \$14,361.27.

- R.102-022017 Resolution authorizing overpayment refund caused by Successful Tax court appeal for Blk. 546.MM, Lot 6 , Parikh Real Estate Holdings, LLC in the amount of \$3,589.74.
- R.103-022017 Resolution authorizing release of balance of Performance Bond and Cash Performance Bond to Edison Township Memorial Post 3117 VFW, 55 National Road for Application # Z22-09/10.
- R.104-022017 Resolution authorizing overpayment refund caused by Successful Tax court appeal for Blk147, Lot 22, Rose Aziz in the amount of \$472.90.
- R.105-022017 Resolution authorizing extension of tax grace period for 1st Quarter 2017.
- R.106-022017 Resolution designation redeveloper and authorizing execution of the Redevelopment Agreement with Carmax Auto Superstores, Inc. for the property identified on the Township Tax Maps as Block 198.L, Lot 39 (aka 1015 Route 1, Clayton Block) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq
- R.107-012017 Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex for the County of Middlesex to provide a properly license Health Officer to the Township.
- R.108-022017 Resolution authorizing the development and submission of 2017 Edison Township Environmental Commission Open Space Stewardship Grant.
- R.109-022017 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.110-022017 Award of Contract for Public Bid No. 16-10-25 Collision Repair to Freehold Ford, Inc. in the amount not to exceed \$110,000.00.
- R.111-022017 Award of Contract for Public Bid No. 16-10-25 Collision Repairs to Central Jersey Collision d/b/a/ Elizabeth Truck Center in the amount not to exceed \$80,000.00
- R.112-022017 Award of Contract/Purchase Order for upgrade to Avaya Phone System for Six Firehouses to Johnston GP Inc. in the amount of \$10,000.00.
- R.113-022017 Award of Contract/Purchase Order for Data Switches for Six Firehouses to CDW Government, LLC in the amount of \$10,254.00.
- R.114-022017 Resolution authorizing additional funds furnishing of Electrical Services for Phone System Upgrade at Six Firehouses to TSUJ in the amount of \$29,917.00.
- R.115-022017 Resolution awarding a renewal contract for fuel to National Fuel, Oil in the amount of \$500,000.00.
- R.116-022017 Resolution awarding a renewal contract for fuel to Rachles/Michele's Oil Co. in the amount of \$425,000.00
- R.117-022017 Resolution awarding additional contract/purchase order for GPS real time tracking systems for Township Vehicles to CDW Government Inc. in the amount not to exceed \$45,000.00.
- R.118-022017 Resolution provides for a Senior Resident refund of construction permit fees to Plumb-Rite Plumbing & Heating, Inc. for 86 Gibian Street in the amount of \$75.00.

- R.119-022017 Award of Contract for Public Bid No. 17-03-07 Remanufactured Police Automatic Transmissions to Transaxle, LLC in an amount not to exceed \$20,000.00.
- R.120-022017 Resolution authorizing the purchase of Automotive and Light Duty Truck Parts through Somerset County Cooperative Pricing System with Genuine Parts Company in amount not to exceed \$30,000.00
- R.121-022017 Award Contract/Purchase Order for the furnishing of Maintenance and repair for Heavy Duty Vehicles to Air Brake & Equipment in an amount not to exceed \$20,000.00.
- R.122-022017 Award Contract/Purchase Order for the furnishing of Snow Plow Parts to A & K Equipment Company in an amount not to exceed \$25,000.00.
- R.123-022017 Award a renewal contract for emergency traffic signal repairs to Jen Electric Incorporated in an amount not to exceed \$75,000.00.
- R.124-022017 Resolutions Award of Contract for Public Bid No. 16-30-01 2016 Road Resurfacing Program – Various Street Contract 1 to Z Brothers Concrete Contractors, Inc. in an amount of \$2,629,124.90.
- R.125-022017 Resolutions Award of Contract for Public Bid No. 16-30-01 2016 Road Resurfacing Program – Various Street Contract 2 to Z Brothers Concrete Contractors, Inc. in the amount of \$2,670,528.10.
- R.126-022017 Resolution approving the Memorandum of Agreement between the Township of Edison and the International Association of Firefighters, Local No. 2883.
- R.127-022017 Resolution authorizing a reimbursement for the YAP Program to Jaya Jwalapuram in the amount of \$360.00.
- R.128-022017 Resolution authorizing a reimbursement for the Kids Fun Club Program to Gita Panchal in the amount of \$10.00.
- R.129-022017 Resolution authorizing the execution of a Shared Services Agreement with the Borough of Metuchen and Middlesex County for the construction of Playground, Safety Surfacing and fencing at Whitman Avenue Park in Edison.

29. **ORAL PETITIONS AND REMARKS**

30. **ADJOURNMENT**

ORDINANCE O.1962-2017

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

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.

ORDINANCE O.1963-022017

EXPLANATION: An Ordinance amending Chapter 37 of the Township of Edison Code of General Ordinances to amend the G-B and G-BH General Business Districts to include a convenience store with fuel station as a permitted use.

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

WHEREAS, due to the desire to ensure uniformity throughout the Township’s Code of General Ordinances (the “**Code**”) regarding the Township’s G-B and G-BH General Business Districts and the addition of convenience stores with a fuel station to be permitted within same; and

WHEREAS, the Township seeks to maintain the health, safety and welfare of the citizens and visitors to the Township, the Township desires to amend the Code in accordance with the terms provided for herein and;

WHEREAS, prior to the Municipal Council hearing on the adoption of this Ordinance it shall be referred to the Planning Board as required by *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law; and

WHEREAS, within thirty (30) days of the adoption of this Ordinance the Township Clerk shall provide notice, pursuant to *N.J.S.A. 40:55D-15* of the Municipal Land Use Law, by personal service or certified mail to the county planning board which notice shall state the effective date of this Ordinance and include a copy of this Ordinance; and

WHEREAS, the Township Council has determined to amend Chapter 37 of the Code 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:

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

Section 2. The Municipal Council hereby amends Chapter 37 “Zoning” of the Code to read as follows:

37-21.2 Permitted Uses.

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

p. Fuel Only Service Station with Convenience Store

The following requirements shall apply to this use:

1. Minimum lot size: 1.5 acres.
2. Maximum building size: 6,000 square feet.
3. Maximum number of fueling stations: eight dispensers that includes gasoline and low-flow diesel sales, with two nozzles/hoses per dispenser.
4. Maximum number of stories: One (1), exclusive of towers, cuppolas, or other architectural elements.
5. Maximum height for principal building: Thirty five (35) feet, exclusive of towers, cuppolas or other architectural elements.

6. Maximum height for fuel area canopy: Twenty five (25) feet, with yard setbacks consistent with Chapter 37-63.
7. Parking: Minimum of one (1) space reach 300 square feet of convenience store building footprint, plus one space for each employee on the most heavily staffed shift. Additional parking may be provided to enhance internal circulation and eliminate stacking at driveways.
8. Signs: One (1) free standing pole sign at the driveway of each street front with fuel pricing, maximum area shall not exceed seventy five (75) square feet, maximum height of twenty (20) feet, and minimum set back of fifteen (15) feet from any street; two (2) façade signs, on the front of the building, not to exceed twenty percent (20%) of the front wall area; and two (2) canopy signs, located below the top of the canopy, on the side of the canopy facing the front or side street.

Section 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.

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

Section 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.

ORDINANCE O.1964-2017

EXPLANATION: An Ordinance authorizing the private sale of Block 922, Lot 11.D on the tax maps of the Township (located on Nicholson Avenue in the Township), an undersized land not needed for public use pursuant to *N.J.S.A. 40A:12-13*.

WHEREAS, the Township of Edison (the “**Township**”) has identified certain of its property, more commonly known as Block 922, Lot 11.D on the Township tax maps (located on Nicholson Avenue in the Township) (the “**Property**”), as not needed for public use, and the Township desires to sell said Property by private sale in accordance with the Local Land and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, more particularly *N.J.S.A. 40A:12-13*; and

WHEREAS, the Property is a vacant lot on Nicholson Avenue situated in the R-BB zoning district and measures 25 feet by 180 feet; and

WHEREAS, there exists one (1) property holder owning land contiguous to the Property; and

WHEREAS, the municipal council of the Township (“**Municipal Council**”) hereby determines that the Property is less than the minimum size required for development under the Township’s Zoning Regulations (Chapter 37 of the Township’s Code of General Ordinances), and without any capital improvements thereon, and may therefore be offered for purchase to the contiguous property holder for the negotiated and above fair market value of One Hundred Twenty One Thousand Five Hundred Dollars (\$121,500.00) pursuant to *N.J.S.A. 12-13(b)(5)*; and

WHEREAS, the buyer of the Property shall not be allowed to build more than two (2) residential units at the Property and the parcels of land contiguous thereto (the “**Combined Property**”).

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, in the 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 Township Clerk is authorized, subject to the terms and conditions hereafter set forth, to offer for private sale pursuant to *N.J.S.A. 40A:12-13(b)* all of the Township’s right, title and interest in the Property, at not less than fair market value thereof, to the owners of real property contiguous thereto, subject to the provision that the no more than two (2) residential units shall be built at the Combined Property.
3. This Ordinance shall be published twice in a newspaper approved for legal publications, once not less than seven (7) days prior to the second reading thereof in accordance with law applicable to the adoption of ordinances generally, and a second time within five (5) days after adoption hereof, at which time it shall also be posted on the bulletin board in the Township Municipal Building and remain so posted for at least twenty (20) days thereafter. Sworn proof of such publication(s) shall be filed by the Township Clerk with the Director of the State Division of Local Government Services in the Department of Community Affairs. A copy of this Ordinance shall also be mailed to the two owners of land contiguous to the Property.
4. The conveyance of the Property to the contiguous property owner shall be: (1) for the total parcel without the subdivision or sale of a portion thereof; (2) by quit claim deed without any covenants; (3) subject to any statement or facts which an accurate survey would show; (4) subject to all covenants, conditions, easements, liens and restrictions of record, as well as applicable ordinances of the Township; (5) without obligation of the Township to provide access, public or private, or any improvements thereon or thereto; (6) with all sales being “as is” without any representation whatever as to character, quality, condition or otherwise, contiguous property owner being deemed to have inspected the Property and waived any objections to the conditions thereon; and (7) subject to the provision that the no more than two (2) residential units shall be built at the Combined Property. The Township offers no warranty as to any environmental condition which may exist on the Property and no representation as to

the Property's development potential, and the Mayor of the Township shall execute a deed to the contiguous property owner in a form substantially in the form 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.

5. The Property shall be deemed to merge and become one parcel for all purposes, including taxation and land use control, with a contiguous parcel as determined by the contiguous property owner.

6. The sale of the Property shall be for the sum of \$121,500.00.

7. 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.

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

9. 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.097-022017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING FEBRUARY 16, 2017

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through February 16, 2017.

FUND	AMOUNT
Current	\$80,352,984.84
Affordable Housing	27,409.27
Capital	246,566.89
Cash Performance	88,643.71
CDBG	0.00
Developers Escrow	37,789.89
Dog (Animal Control)	688.13
Federal Forfeited	0.00
Grant Funds	8,610.29
Law Enforcement	0.00
Open Space	3,199.69
Park Improvements	0.00
Payroll Deduction	571,126.76
Sanitation Fund	196,612.61
Self Insurance	7,400.00
Sewer Utility	82,049.48
Tax Sale Redemption	581,645.99
Tree Fund	0.00
Tree Planting	15,707.67
Trust	511,582.87
Water Operating Fund	
 TOTAL	 \$82,732,018.09

/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.098-022017

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 **\$447,723.66**.

RESOLUTION R.099-022017

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 **\$8,996.01**.

RESOLUTION R.100-022017

AUTHORIZING THE REFUND OF SEWER CHARGE OVERPAYMENTS TO CERTAIN PROPERTY OWNERS IN THE TOWNSHIP

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2017**; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the property owners are entitled to refunds as provided for below; and

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

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

1. The aforementioned Recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the appropriate official of the Township to draw and issue checks to the person(s) in the amounts provided for below, in satisfaction of sewer charge overpayments:

Property Owner Property Location: Block/Lot/Qualifier Sewer Account: Amount to be Refunded:	Dai, Changming 17 Laurie Lane 272 / 35 7017-0 \$ 1,618.23
Property Owner Property Location: Block/Lot/Qualifier Sewer Account: Amount to be Refunded:	Szurko, John 7 Doreen Ct 626 / 78.A 16490-0 \$ 254.14
Property Owner Property Location: Block/Lot/Qualifier Sewer Account: Amount to be Refunded: GRAND TOTAL	Winters, David & Latham, Deborah 30 Crescent Rd 1100 / 22 21724-0 \$ 625.80 \$ 2,498.17

3. This Resolution shall take effect immediately.

RESOLUTION R.101-022017

**AUTHORIZING OVERPAYMENT REFUND CAUSED BY
SUCCESSFUL TAX COURT APPEAL WITH FREEZE ACT PROVISION**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.124-022016**:

TAXPAYER	JERSEY GLOBAL LLC
PROPERTY LOCATION	1897 WOODBRIDGE AVE
BLOCK / LOT / QUALIFIER	212/41.01
DOCKET NUMBER:	011958-2015
TAX YEAR	2016

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): 2016.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$14,361.27** and

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, "in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment."

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$14,361.27**.

February 8, 2017

RESOLUTION R.102-022017

**AUTHORIZING OVERPAYMENT REFUND CAUSED BY
SUCCESSFUL TAX COURT APPEAL**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	PARIKH REAL ESTATE HOLDINGS LLC
PROPERTY LOCATION	1818 OAK TREE RD
BLOCK / LOT / QUALIFIER	546.MM / 6

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
014510-2013	2013	676700	639700	(37000)
013384-2014	2014	676700	639700	(37000)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$3589.74** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	1767.12
2014	1822.62

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, "in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment."

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$3589.74**.

February 22, 2017

RESOLUTION R.103-022017

**EDISON TOWNSHIP MEMORIAL POST 3117 VFW, 55 NATIONAL ROAD, BLOCK 48, LOT10-B2
RELEASE OF BALANCE ON PERFORMANCE BOND & CASH PERFORMANCE BOND**

WHEREAS, Edison Memorial Post 3117 VFW, having offices at 55 National Road, Edison, NJ 08817, posted a Performance Bond #FP0017270 on August 4, 2011 of First Indemnity of America Insurance Company in the amount of \$344,496.24, to guarantee the installation of improvements for the project known as Memorial Post 3117 VFW located in Block #48 and Lot #10-B2 and designated Application #Z22-09/10; and

WHEREAS, The Performance Bond was reduced by Resolution R.430-062016 to a balance of \$103,348.87; and

WHEREAS, a Cash Performance Bond was posted on June 28, 2011, by Check #7000239933 of Capital One Bank, in the amount of \$38,277.36. A Cash Bond Reduction was posted on July 21, 2016 by Resolution #R.430-062016, reducing the balance of the Cash Bond to **\$11,483.21**, on deposit in account #7761417182; and

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed; and

WHEREAS the applicant has posted a Maintenance Bond, under Bond Number RU100661, in the amount of \$47,846.70, for a two-year period effective the date of acceptance of this Resolution by the governing body of the Township of Edison; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the reduced Performance Bond #FP0017270 of \$103,348.87 be released.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$11,483.21**, plus accrued interest as applicable, on deposit in Account #7761417182 to Edison Township Memorial Post 3117 VFW having offices at 55 National Road, Edison, N.J. 08817.

RESOLUTION R.104-022017

**AUTHORIZING OVERPAYMENT REFUND CAUSED BY
SUCCESSFUL TAX COURT APPEAL**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	AZIZ, ROSE
PROPERTY LOCATION	13 N RIVERVIEW AVE
BLOCK / LOT / QUALIFIER	147/22

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
01440-2012	2012		39000	(10000)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$472.90** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	472.90

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, "in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment."

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$472.90**.

February 22, 2017

RESOLUTION R.105-022017

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING AN EXTENSION OF THE STATUTORY, INTEREST-FREE GRACE PERIOD FOR THE PAYMENT OF FIRST QUARTER 2017 *AD VALOREM* REAL ESTATE TAXES AND, AS APPLICABLE, WATER AND SEWER CHARGES PURSUANT TO *N.J.S.A. 54:4-99*

WHEREAS, pursuant to State law, payment of First Quarter 2017 *Ad Valorem* real estate taxes and, as applicable, water and sewer charges for all real property within the Township of Edison (“Township”) must be paid to the Township Tax Collector on or before Friday, February 10, 2017 in order to avoid the imposition of statutory interest on all amounts remaining unpaid after that date (such period the “Grace Period”); and

WHEREAS, due to inclement winter weather on Thursday, February 9, 2017, the Office of the Township Tax Collector closed, potentially resulting in many Township taxpayers being unable to pay their taxes and, as applicable, water and sewer charges on that date, and also resulting in a commensurate shortening of the Grace Period in consequence thereof; and

WHEREAS, the Township Council (“Township Council”) of the Township has determined that due to and under the circumstances noted above, it is in its best interests, and those of all Township residents, to extend the Grace Period to Tuesday, February 14, 2017 (Monday, February 13, 2017 being Lincoln’s Birthday observed, a legal holiday), pursuant to the statutory authority granted to the Township under *N.J.S.A. 54:4-99*, so that Township taxpayers have the benefit of a commensurate extension of the Grace Period to account for the closure of the Tax Collector’s Office on Thursday, February 9, 2017; and

WHEREAS, in consequence of the foregoing, the Township Council is desirous of extending the Grace Period as aforesaid, and doing so with retroactive effect to so extend the Grace Period until Tuesday, February 14, 2017; and

WHEREAS, the Township Council desires to adopt this Resolution to memorialize the extension of the Grace Period set forth herein accordingly.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council pursuant to *N.J.S.A. 54:4-99* hereby retroactively authorizes an extension of the Grace Period defined above, so that Township taxpayers may pay their First Quarter 2017 *Ad Valorem* real estate taxes and, as applicable, water and sewer charges for all real property on or before Tuesday, February 14, 2017, without imposition of statutory interest or other charges, provided that the said taxes and, as applicable, water and sewer charges were in fact paid on or before that date.
3. All pertinent Township personnel, including without limit the Township Tax Collector, the Township Finance Director, the Township Business Administrator and the Township Clerk, be and hereby are authorized and directed to comply with the foregoing extension of the Grace Period in all respects as may be applicable to the payment of First Quarter 2017 *Ad Valorem* real estate taxes and, as applicable, water and sewer charges by Township taxpayers.
4. This Resolution shall take effect immediately, and shall have retroactive effect in order to effectuate the extension of the Grace Period as set forth herein.

RESOLUTION R.106-022016

EXPLANATION: A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Carmax Auto Superstores, Inc for the property identified on the Township Tax Maps as Block 198.L, Lot 39, also known as 1015 Route 1 in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Municipal Council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) pursuant to *N.J.S.A. 40A:12A-14*, authorized the Planning Board of the Township (the “**Planning Board**”) to determine whether Block 198.L, Lot 39, also known as 1015 Route 1, in the Township met the statutory criteria for designation as an “area in need of rehabilitation” (the “**Study Area**”) pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“**Redevelopment Law**”); and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, the Planning Board found that the Study Area satisfied certain statutory criteria and thus constituted an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, on May 11, 2016 the Municipal Council adopted Resolution R. 349-052016 which designated the Study Area as an “area in need of redevelopment” pursuant to the Redevelopment Law (“**Redevelopment Area**”); and

WHEREAS, on October 13, 2016, the Municipal Council adopted Ordinance O. 1947-2016 by which it accepted the findings of the Planning Board and adopted, in accordance with the Redevelopment Law, a redevelopment plan entitled 1015 Route 1 Redevelopment Plan” prepared by Heyer, Gruel & Associates (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the “**Redevelopment Entity**” (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, Carmax Auto Superstores, Inc. (the “**Redeveloper**”) desires to be designated as the “redeveloper” (as such term is defined in the Redevelopment Law) to implement and complete the redevelopment of a pre-owned automobile dealership which shall consist of the following: pre-owned automobile sales, vehicle accessory sales and installation; retail vehicle service; vehicle reconditioning; outdoor vehicle storage; outdoor display of vehicles; private car wash; private automobile auctions; private fuel storage and pump; outdoor tire storage and parts recycling; and vehicle appraisals and acquisition; and

WHEREAS, Redeveloper has an option to ground lease the Redevelopment Area from Clayton Block Company, Inc., a New Jersey corporation (“**Clayton Block**”), pursuant to an Option to Lease between Clayton Block and Redeveloper, dated as of October 12, 2015 (as amended, the “**Option**”); and

WHEREAS, upon Redeveloper’s exercise of the Option and the execution of the Ground Lease Agreement (“**Ground Lease**”) between Redeveloper, as tenant, and Clayton Block and Ralph Clayton & Sons, a New Jersey partnership (“**Clayton & Sons**” and together with Clayton Block, “**Landlord**”), as landlord, contemplated by the Option, Redeveloper will have a leasehold interest in the Redevelopment Area; and

WHEREAS, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper's rehabilitation of the Project (the "**Redevelopment Agreement**"); and

WHEREAS, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township's residents; and

WHEREAS, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement,

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

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

Section 2. The Municipal Council hereby authorizes the execution of a redevelopment agreement with the Redeveloper in substantially the form attached hereto as Exhibit A and by this reference incorporated herein.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. Carmax Auto Superstores, Inc., is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

Section 5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.107-022017

EXPLANATION: A Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex, for the County of Middlesex to provide a properly licensed Health Officer to the Township.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey, and is authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“**Shared Services Act**”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, the Middlesex County Office of Health Services (the “**County Office of Health Services**”) provides an array of public health services; and

WHEREAS, the Township is desirous of entering into a contract with the County Office of Health Services pursuant to the Shared Services Act, for health services of a technical and professional nature (the “**Contract**”), as more fully described and set forth in the Contract attached hereto as **Exhibit A**; and

WHEREAS, the County Office of Health Services shall provide properly licensed personnel within the territorial jurisdiction of the Township, specifically, the Director of the County Office of Health Services shall serve as the Township Health Officer, and will carry-out the enforcement of the local health ordinances and law, rules and regulations of the New Jersey Department of Health, for a period of two (2) years, or upon written notice by either party desiring to terminate the Contract, such notice being given no later than thirty (30) days prior to termination of the contract; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Contract.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The form of the Contract is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Contract on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Middlesex County Director-Health Officer, so that the Middlesex County Director-Health Officer may request a formal resolution from the Middlesex County Board of Chosen Freeholders in order to memorialize the Contract.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.108-022017

WHEREAS, the Edison Township Environmental Commission (ETEC) was established during 1978, subsequently reconstituted during 2009 and last year (2016) with seven commissioners and one liaison from the Municipal Council; and

WHEREAS, the focus of the ETEC is to review, investigate and recommend the address of local, environmental, ecological and natural issues, on an advisory basis; and

WHEREAS, the ETEC intends to apply to the Association of New Jersey Environmental Commissions (ANJEC) for funding under its 2017 ANJEC Open Space Stewardship Grants For Environmental Commissions, supported by the Sandy Batty Grant Fund; and

WHEREAS, the ETEC will work in partnership with the previously-established Edison Greenways Group, Inc., Edison Open Space Advisory Committee, Edison Clean Communities Program and the Edison Sustainable Jersey Green Team on this grant application and subsequent project; and

WHEREAS, the focus of ETEC's ANJEC Open Space Stewardship Grants For Environmental Commissions application will be to support the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project*; and

WHEREAS, ANJEC will provide small grants of up to *\$1500* each to environmental commissions that do both of the following: Advance local open space stewardship and Help to raise the profile of the environmental commission in the community through publicity and public participation or collaboration with local groups on their selected open space project; and

WHEREAS, no cash match is required to submit an application to the 2017 ANJEC Open Space Stewardship Grants For Environmental Commissions, ETEC members and affiliated project volunteers must provide and track a minimum of 80 hours of labor and in-kind support toward the project; 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 22, 2017.

RESOLUTION R.109-022017

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.110-022017

RESOLUTION AWARDING A RENEWAL CONTRACT TO FREEHOLD FORD, INC. FOR THE FURNISHING OF COLLISION REPAIRS

WHEREAS, bids were received by the Township of Edison on January 6, 2016 for Public Bid No. 16-10-25-Collision Repairs; and

WHEREAS, R.097-022016 dated February 10, 2016 authorized the first year contract with FREEHOLD FORD, INC., 3572 ROUTE 9, Freehold, NJ 07728 which expires on March 7, 2017; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of March 7, 2018; and

WHEREAS, the total amount of this contract shall not exceed \$110,000.00; 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a second year contract with FREEHOLD FORD, INC., 3572 ROUTE 9, Freehold, NJ 07728 expiring March 7, 2018 in the amount of \$110,000.00.

RESOLUTION R.111-022017

RESOLUTION AWARDING A RENEWAL CONTRACT TO CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER FOR THE FURNISHING OF COLLISION REPAIRS

WHEREAS, bids were received by the Township of Edison on January 6, 2016 for Public Bid No. 16-10-25-Collision Repairs; and

WHEREAS, R.116-022016 dated February 10, 2016 authorized the first year contract with CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER, 878 North Ave., Elizabeth, NJ 07201 which expires on March 7, 2017; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of March 7, 2018; and

WHEREAS, the total amount of this contract shall not exceed \$80,000.00; 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a second year contract with CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER, 878 North Ave., Elizabeth, NJ 07201 expiring March 7, 2018 in the amount of \$80,000.00.

RESOLUTION R.112-022017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON GP, INC. /JOHNSTON COMMUNICATIONS FOR THE UPGRADE TO THE AVAYA PHONE SYSTEM AT SIX FIREHOUSES

WHEREAS, there is a need to upgrade the Avaya phone system at six Firehouses; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031 has been awarded State Contract Number 80802 under T-1316/Telecommunications Equipment and Services; 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 project for the six Firehouses shall not exceed \$68,732.66; and

WHEREAS, funds in the amount of \$10,000.00 have been certified to be available in the Dispatch 911 Computer Hardware & Software Account, Number 7-01-25-0250-000-059 and funds in the amount of \$58,732.66 have been certified to be available in the Acquisition of Computer and Camera Equipment Account, Number C-04-15-1914-101-000; 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 \$68,732.66 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031, 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. 80802 under T-1316.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,000.00** are available for the above in Account No. **7-01-25-0250-000-059** and funds in the amount of **\$58,732.66** are available in Account No. **C-04-15-1914-101-000**.

Nicholas C.
Fargo
Chief Financial Officer

Date

RESOLUTION R.113-022017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR DATA SWITCHES FOR SIX FIREHOUSES

WHEREAS, there is a need for data switches at six Firehouses to support the expanded data network and IP based telephones for the new phone systems to be installed at the six Firehouses; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 has been awarded State Contract Number 87722 under M-7000/DATA COMMUNICATIONS EQUIPMENT; 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, funds in the amount of \$10,254.00 have been certified to be available in the Acquisition of Computer and Camera Equipment Account, Number C-04-15-1914-101-000; 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 \$10,254.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 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. 87722 under M-7000.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,254.00** are available for the above in Account No. **C-04-15-1914-101-000**.

Nicholas C.
Fargo
Chief Financial Officer

Date

RESOLUTION R.114-022017

RESOLUTION AUTHORIZING ADDITIONAL FUNDS WITH TSUJ FOR THE FURNISHING OF ELECTRICAL SERVICES FOR PHONE SYSTEM UPGRADE AT SIX FIREHOUSES

WHEREAS, TSUJ CORPORATION, P.O. Box 4621, Wayne, NJ 07474 was awarded Contract No. 16-07-01-Electrical Services on December 14, 2016 through Resolution R.841-122016 for the period of January 9, 2017 through January 8, 2018 in the amount of \$75,000.00; and

WHEREAS, The Township is requesting additional funds to install new and repair damaged data cabling in six (6) Firehouses to support a new phone system; and

WHEREAS, funds in the amount of \$29,917.00 have been certified to be available in the Various Building Improvements Account, Number C-04-14-1872-310-001; and

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$29,917.00 and any other necessary documents with TSUJ CORPORATION described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$29,917.00 are available for the above contract in Account No. C-04-14-1872-310-001.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.115-022017

RESOLUTION AWARDING A RENEWAL CONTRACT TO NATIONAL FUEL OIL, INC. FOR FUEL

WHEREAS, bids were received on January 5, 2016 for Public Bid No. 15-12-06, Fuel; and

WHEREAS, R.101-022016 dated February 10, 2016 authorized the first year contract with NATIONAL FUEL OIL, INC., 175 Orange St., Newark, NJ 07103, for Ultra Low Sulfur Diesel Fuel, Ultra Low Sulfur Diesel Fuel Premium/WinterBlend Mix and the emergency allocation which expires April 7, 2017; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of April 7, 2018; and

WHEREAS, the total amount of this contract, not to exceed \$500,000.00 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a second year contract with NATIONAL FUEL OIL, INC., 175 Orange St., Newark, NJ 07103, expiring April 7, 2018 in the amount of \$500,000.00.

RESOLUTION R.116-022017

**RESOLUTION AWARDING A RENEWAL CONTRACT TO RACHLES/MICHELE'S OIL CO., INC.
FOR FUEL**

WHEREAS, bids were received on January 5, 2016 for Public Bid No. 15-12-06, Fuel; and

WHEREAS, R.117-022016 dated February 10, 2016 authorized the first year contract with RACHLES/MICHELE'S OIL CO., INC., 116 Kuller Rd., Clifton, NJ 07011, submitted the lowest legally responsible, responsive bid for Gasoline-Regular and Unleaded and Gasoline Emergency Allocation which expires April 7, 2017; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of April 7, 2018; and

WHEREAS, the total amount of this contract, not to exceed \$425,000.00 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a second year contract with RACHLES/MICHELE'S OIL CO., INC., 116 Kuller Rd., Clifton, NJ 07011 expiring April 7, 2018 in the amount of \$425,000.00.

RESOLUTION R.117-022017

RESOLUTION AWARDING ADDITIONAL CONTRACT/PURCHASE ORDERS TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF GPS REAL TIME TRACKING SYSTEMS FOR TOWNSHIP VEHICLES

WHEREAS, the Township of Edison purchased GPS Real Time Tracking Systems from CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, for Township's Vehicles through Resolution R.566-082016; and

WHEREAS, this purchase was authorized under EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #65MCESCCPS, MRESC 15/16-11 for which Edison Township is a member; and

WHEREAS, the Township wishes to add additional vehicles and maintenance, including Animal Shelter, Finance, Recreation, Fire Prevention, and new upcoming township vehicle purchases under Contract MRESC 15/16-11(Technology Supplies & Services); and

WHEREAS, the total amount of this contract, not to exceed \$45,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount not to exceed \$45,000.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.118-022017

EXPLANATION: This Resolution Provides For Senior Resident Refund Of The Construction Permit Fee, Less The Dca Fee, Posted For A Residential Construction Permit.

WHEREAS, on December 7th, 2016, a Construction Permit fee, check #20808, permit #2016-5186, was posted in the total amount of \$77.00 by the contractor, Plumb-Rite Heating, Inc , having offices at 86 Gibian Street, Edison, NJ, 08837; and

WHEREAS, the application was submitted for a Water Heater at 72 Rodak Circle., Edison, NJ 08817, by the hired contractor, Plumb-Rite, Inc who did not make known to the Construction Code Enforcement Division that the homeowner, Michael Meehan, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$75.00, derived from the \$77.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the contractor Edison Heating & Cooling; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-5186, in the amount of \$75.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 on construction permit fees posted by Plum-Rite Plumbing & Heating, Inc for 72 Rodak Circle, be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 from the Refund of Revenue Fund to the Contractor, Plumb-Rite Plumbing & Heating, Inc , 86 Gibian Street, Edison, NJ 08837

RESOLUTION R.119-022017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO TRANSAXLE, LLC FOR THE FURNISHING OF REMANUFACTURED POLICE AUTOMATIC TRANSMISSIONS

WHEREAS, bids were received by the Township of Edison on January 19, 2016 for Public Bid No. 17-03-07-Remanufactured Police Automatic Transmissions, for the Division of Police; and

WHEREAS, TRANSAXLE, LLC, 2501 Route 73 & O'Donnell Lane, Cinnaminson, NJ 08077, submitted the lowest legally responsible bid; 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 TRANSAXLE, LLC, 2501 Route 73 & O'Donnell Lane, Cinnaminson, NJ 08077 for Remanufactured Police Automatic Transmissions, 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 \$20,000.00, and any other necessary documents, with TRANSAXLE, LLC as described herein.

RESOLUTION R.120-022017

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE AUTOMOTIVE AND LIGHT DUTY TRUCK PARTS FROM GENUINE PARTS COMPANY THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

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

WHEREAS, **GENUINE PARTS COMPANY**, 1770 New Durham Road, South Plainfield, NJ 07080, has been awarded Contract Number CC-0113-16 for the cooperative purchase of Automotive and Light Duty Truck Parts through the Somerset County Cooperative Pricing System (#2SOCCP) for which Edison is a member; and

WHEREAS, the Township of Edison wishes to purchase same through this cooperative pricing system; and

WHEREAS, the total amount of this contract, not to exceed \$30,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$30,000.00 with **GENUINE PARTS COMPANY**, 1770 New Durham Road, South Plainfield, NJ 07080, the approved Somerset County Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Somerset County Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.121-022017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to maintain and repair heavy duty vehicles (class 5 or higher, over 15,000 LB GVWR) for the Township of Edison; and

WHEREAS, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 89279 under T-2108 Maintenance and Repair for Heavy Duty Vehicles; 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 \$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.

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 \$20,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, 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. 89279 under T-2108.

RESOLUTION R.122-022017

RESOLUTION AWARDING STATE CONTRACT/PURCHASE ORDER(S) TO A & K EQUIPMENT COMPANY INC. FOR THE FURNISHING OF SNOW PLOW PARTS AND GRADER AND LOADER BLADES

WHEREAS, there is a need to purchase snow plow parts and grader and loader blades for the Township of Edison; and

WHEREAS, A & K EQUIPMENT COMPANY, 221 Wescott Drive, Rahway, NJ 07065-4711 has been awarded State Contract Number 88273 under T-0085/Snow Plow Parts and Grader and Loader Blades; and

WHEREAS, the total amount of this contract, not to exceed \$25,000.00, cannot be encumbered at this time; 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, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$25,000.00 and any other necessary documents, with A & K EQUIPMENT COMPANY, 221 Wescott Drive, Rahway, NJ 07065-4711 with 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. 88273/T-0085.

RESOLUTION R.123-022017

**RESOLUTION AWARDING A RENEWAL CONTRACT TO JEN ELECTRIC INCORPORATED FOR
EMERGENCY TRAFFIC SIGNAL REPAIRS**

WHEREAS, bids were received on January 8, 2016 for Public Bid No.16-06-26- Emergency Traffic Signal Repairs; and

WHEREAS, R.080-012016 dated January 27, 2016 authorized the first year contract with JEN ELECTRIC INCORPORATED, 631 Morris Ave., Springfield, NJ 07081 which expires on April 7, 2017; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of April 7, 2018; and

WHEREAS, the total amount of this contract shall not exceed \$75,000.00; 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a second year contract with JEN ELECTRIC INCORPORATED, 631 Morris Ave., Springfield, NJ 07081 expiring April 7, 2018 in the amount of \$75,000.00.

RESOLUTION R.124-022017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO Z BROTHERS CONCRETE CONTRACTORS, INC. FOR THE 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1

WHEREAS, bids were received by the Township of Edison on February 15, 2017 for Public Bid No. 16-30-01 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and

WHEREAS, Z BROTHERS CONCRETE CONTRACTORS, INC., 304 Jernee Mill Road, Sayreville, NJ 08872 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,629,124.90; and

WHEREAS, funds in the amount of \$2,629,124.90 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-16-1948-102-000; 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 lowest bid, submitted by Z BROTHERS CONCRETE CONTRACTORS, INC., 304 Jernee Mill Road, Sayreville, NJ 08872 for the 2016 Road Resurfacing Program Various Streets-Contract 1, has been 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 \$2,629,124.90, and any other necessary documents, with Z BROTHERS CONCRETE CONTRACTORS, INC. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,629,124.90** are available for the above contract in Account No. C-04-16-1948-102-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.125-022017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO Z BROTHERS CONCRETE CONTRACTORS, INC. FOR THE 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2

WHEREAS, bids were received by the Township of Edison on February 15, 2017 for Public Bid No. 16-30-02 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and

WHEREAS, Z BROTHERS CONCRETE CONTRACTORS, INC., 304 Jernee Mill Road, Sayreville, NJ 08872 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,670,528.10; and

WHEREAS, funds in the amount of \$2,670,528.10 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-16-1948-102-000; 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 lowest bid, submitted by Z BROTHERS CONCRETE CONTRACTORS, INC., 304 Jernee Mill Road, Sayreville, NJ 08872 for the 2016 Road Resurfacing Program Various Streets-Contract 2, has been 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 \$2,670,528.10, and any other necessary documents, with Z BROTHERS CONCRETE CONTRACTORS, INC. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$2,670,528.10 are available for the above contract in Account No. C-04-16-1948-102-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.126-022017

RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF EDISON AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL NO. 2883

WHEREAS, the Township of Edison has been involved in collective bargaining with the International Association of Firefighters, Local 2883; and

WHEREAS, an agreement has been reached between the parties, as reflected in the attached Memorandum of Agreement, subject to ratification by the Municipal Council of the Township of Edison and the International Association of Firefighters, Local 2883;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the Mayor of the Township of Edison is hereby authorized to execute and the City Clerk to attest said Memorandum of Agreement and the Collective Negotiations Agreement between the Township of Edison and the International Association of Firefighters, Local 2883, covering the period from January 1, 2014 through December 31, 2017.

RESOLUTION R.127-022017

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
JAYA JWALAPURAM FOR THE Y.A.P. PROGRAM**

WHEREAS Jaya Jwalapuram made payment in the amount of \$360.00 for her child Keshav Jwalapuram's participation in the Y.A.P. Program at Woodrow Wilson Middle School for the months of March 2017 and April 2017; and

WHEREAS Keshav Jwalapuram was removed from the program before he attended in the months of March and April.

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 \$360.00 to Jaya Jwalapuram, 27 Hillsdale Rd., Edison, NJ 08820, which represents the amount for the Y.A.P. Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$360.00 are available in Account #7-01-55-0291-000-000.

RESOLUTION R.128-022017

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
GITA PANCHAL FOR THE KIDS FUN CLUBS PROGRAM**

WHEREAS Gita Panchal made a duplicate payment in the amount of \$10.00 for her child Divyanshu Panchal's participation in the Kids Fun Clubs Program; and

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 \$10.00 to Gita Panchal, 202 Maplecrest Rd., Edison, NJ 08820, which amount represents the duplicate payment.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$10.00 are available in Account #7-01-55-0291-000-000.

RESOLUTION R.129-022017

EXPLANATION: A Resolution authorizing the Mayor to execute a Shared Services Agreement with the Borough of Metuchen and Middlesex County for the construction of playground, safety surfacing and fencing at Whitman Avenue Park in the Township.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“**Shared Services Act**”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, the Township, Borough of Metuchen (“**Borough**”) and Middlesex County (“**County**”) and, together with the Township and Borough, the “**Parties**”) desire to construct playground equipment, safety surfacing and fencing at 125 Whitman Avenue (Block 199.A, Lot 31.B1) in the Township (the “**Project**”); and

WHEREAS, in the spirit of mutual cooperation, the Township, Borough and County desire to share the cost for the Project and its ongoing operation, for the purpose of promoting efficiency in government and reducing each Party’s respective expense for such asset in benefit of their respective constituents; and

WHEREAS, in furtherance, the Parties desire to enter a Shared Services Agreement (“**Agreement**,” in the form attached hereto as *Exhibit A*) pursuant to the Shared Services Act with respect to the construction of the Project and the sharing of its cost and operation, commencing on April 1, 2017 and terminating upon completion of the Project, but not to exceed the period of one (1) year, and shall not be renewed without proper authorization of the Parties in writing; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Agreement.

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

1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
2. The Mayor or his designee is hereby authorized to execute the Agreement in the form as attached hereto as *Exhibit A*, subject to such additions, deletions, modifications or amendments deemed necessary in consultation with counsel that do not substantially alter the rights and responsibilities of the parties, and to take all other necessary and appropriate action to effectuate said agreement.
3. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.
4. This Resolution shall take effect immediately.