

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
MONDAY, APRIL 24, 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 April 12, 2017
5. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
 - a. Re-Appointing to the Fair Rental Housing Board (Resolutions R.287-042017 & R.288-042017)
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing a Professional Services Contract for Environmental Consulting Services (Resolution R.282-042017)
 - b. Awarding a Contract/Purchase order for the renewal of Hardware & Software support for the Township (Resolution R.283-042017)
 - c. Award of Emergency contract for the furnishing and installation of a Chiller for Municipal Complex. (Resolution R.291-042017)
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through April 20, 2017 (Resolution R.268-042017)
 - b. Resolution authorizing refund in the amount of \$373,857.88 for redemption of tax sale certificates (Resolution R.269-042017)
 - c. Resolution authorizing overpayment refund caused by Successful tax Court Appeal with Freeze Act (Resolution R.270-042017)
 - d. Resolution authorizing refund for tax overpayments totaling \$651.71(Resolution R.271-042017)
10. **FROM THE DEPARTMENT OF LAW:**

- a. Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex to provide aerial photogrammetric, GIS, new certified tax map and other GIS based services to the Township (Resolution R.274-042017)
- b. Resolution supporting certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 South onto Route 287. (Resolution R.272-042017)
- c. Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex for the construction of playground, safety surfacing and fencing at Whitman Avenue Park in the Township of Edison.(Resolution R.,273-042017).
- d. An Ordinance amending the Township Code Chapter 11 “General Licensing and Business Regulations” setting forth requirements for filming and videotaping in the Township. (Ordinance O.1973-2017)
- e. An Ordinance rescinding Special Appropriation for Tax Map (Ordinance O.1974-2017)
- f. Resolution awards a Professional Service Contract to Maser Consulting, P.A. to provide general engineering services for period of sixty (60) days to the Township.(Resolution R.292-042017)

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

- a. Resolution provides for the Township acceptance of the constructed improvements under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets –Phase I; authorizes a corrective change order no. 1 Final As-built quantities and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.(Resolution R.275-042017)
- b. Resolution provides refund of the construction permit fee for work never performed (Resolution R.276-042017)
- c. Resolution supporting the Community Development Block Grant Program and Urging Congress to restore its funding (Resolution R.277-042017).
- d. Resolution refunding of Tree Maintenance Bonds (Resolution R.278-042017 and R.279-042017)
- e. Resolution refunding Engineering Inspection Fees (Resolution R.280-042017)
- f. Resolution refunding a Cash Performance Bond (Resolution R.281-042017)
- g. Resolution authorizing a non-refundable grant of \$3,333.00 from the Township’s Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market Sale unit to an Affordable Housing Unit.(Resolution R.,289-042017)
- h. Release of Balance of Performance Bond & Cash Performance Bond (Resolution R.290-042017)

12. **FROM THE CHIEF OF FIRE:**

- a. Awarding of Contract/Purchase Order for one (1) 2017 Chevrolet Tahoe (R.284-042017)
- b. Awarding of Contract/Purchase Order for the purchase of Generators (R.285-042017)

- c. Resolution authorizing additional funds for the furnishing of Electrical Services for the installation of Generators. (Resolution R.286-042017)

13. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

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

O.1971-2017 AN ORDINANCE AMENDING CHAPTER 10 TO ESTABLISH AN ON-LINE EXCHANGE ZONE FOR INTERNET-BASED TRANSACTIONS AT THE TOWNSHIP OF EDISON PUBLIC SAFETY COMPLEX.

O.1972-2017 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WAREHOUSE BUILDING IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

15. **COMMUNICATIONS:**

- a. None

16. **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

17. **APPROVAL OF MINUTES:**

a. Combined Meeting of April 12, 2017

18. **COUNCIL PRESIDENT'S REMARKS**

19. **UNFINISHED BUSINESS:**

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

O.1971-2017 AN ORDINANCE AMENDING CHAPTER 10 TO ESTABLISH AN ON-LINE EXCHANGE ZONE FOR INTERNET-BASED TRANSACTIONS AT THE TOWNSHIP OF EDISON PUBLIC SAFETY COMPLEX.

O.1972-2017 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WAREHOUSE BUILDING IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

20. **NEW BUSINESS:**

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 10, 2017.

O. 1973-2017 ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 11 "GENERAL LICENSING AND BUSINESS REGULATIONS" SETTING FORTH REQUIREMENTS FOR FILMING AND VIDEOTAPING IN THE TOWNSHIP

O.1974-2017 ORDINANCE REVOKING AND RESCINDING ORDINANCE O.1861-2014)

21. **PUBLIC COMMENT ON THE RESOLUTIONS**

22. **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.268-042017 Resolution approving disbursements for the period ending April 20, 2017
- R.269-042017 Resolution authorizing refund in the amount of \$373,857.88 for redemption of tax sale certificates.
- R.270-042017 Resolution authorizing overpayment refund caused by Successful tax Court Appeal with Freeze Act provision for Block 390.R, Lot 10.A in the amount of \$33,555.36.
- R.271-042017 Resolution authorizing refund for tax overpayments totaling \$651.71
- R.272-042017 Resolution supporting certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 South onto Route 287.
- R.273-042017 Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex for the construction of playground, safety surfacing and fencing at Whitman Avenue Park in the Township of Edison.
- R.274-042017 Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex to provide aerial photogrammetric, GIS, new certified tax map and other GIS based services to the Township.
- R.275-042017 Resolution provides for the Township acceptance of the constructed improvements under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets –Phase I; authorizes a corrective change order no. 1 Final As-built quantities and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.
- R.276-042017 Resolution provides refund of the construction permit fee for work never performed to Solar City for 26 Heather Drive in the amount of \$367.00.
- R.277-042017 Resolution supporting the Community Development Block Grant Program and Urging Congress to restore its funding.
- R.278-042017 Resolution refunding of Tree Maintenance Bond to Markim Developers LLC, for Block 402, Lot 3 – Tree Permit #12-140, Acct.# 7762575848.
- R.279-042017 Resolution refunding of Tree Maintenance Bond to Ziga Homes, Inc. for Block 405, Lots 1 & 2B, Tree Permit #10-085, Acct. #7761963698
- R.280-042017 Resolution refunding Engineering Inspection Fees to Markim Developers, LLC for Block 403, Lot 4.01; Acct. # 7760296236.
- R.281-042017 Resolution refunding a Cash Performance Bond to 1000 King Georges Post Road, LLC for guarantees associated with the construction of a Sanitary Sewer Connection within Edison Township for a warehouse located at 1000 King George Post Road, located in Woodbridge Township, Woodbridge Township Tax Map reference Blk. 65, Lot 12 for Acct.#7763342555.
- R.282-042017 Resolution authorizing a Professional Services Contract to Excel Environmental Resources, Inc. for Environmental Consulting Services in an amount not to exceed \$75,000.00.
- R.283-042017 Awarding a Contract/Purchase order for the renewal of Hardware & Software support for the Township to CDW Governmental, LLC in the amount of \$13,288.00.

- R.284-042017 Awarding of Contract/Purchase Order for one (1) 2017 Chevrolet Tahoe to Hertrich Fleet Services in the amount of \$36,019.64.
- R.285-042017 Awarding of Contract/Purchase Order for the purchase of Generators to W.W. Grainger, Inc. in the amount of \$51,780.56.
- R.286-042017 Resolution authorizing additional funds for the furnishing of Electrical Services for the installation of Generators to TSUJ in the amount of \$47,000.00.
- R.287-042017 Resolution re-appointing Donald Corrette to the Fair Rental Housing Board term to expire February 10, 2020.
- R.288-042017 Resolution re-appointing Suzanne Cason O'Neill to the Fair Rental Housing Board term to expire February 10, 2020.
- R.289-042017 Resolution authorizing a non-refundable grant of \$3,333.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market Sale unit to an Affordable Housing Unit.
- R.290-042017 Release of Balance on Performance Bond & Cash Performance Bond to Menlo Park Plaza Associates for Blk. 694, Lots 1A,2A,3, 4A,5,6B,7F,12C,12E,12G, 12HI, 13A and Block 1216, Lot 16 – Application P-4831.
- R.300-042017 Award of Emergency contract for the furnishing and installation of a Chiller for Municipal Complex to AME, Inc. in the amount of \$248,000.00.
- R.301-042017 Resolution awards a Professional Service Contract to Maser Consulting, P.A. to provide general engineering services for period of sixty (60) days to the Township.

23. **ORAL PETITIONS AND REMARKS**

24. **ADJOURNMENT**

ORDINANCE O.1971-2017

EXPLANATION:An ordinance amending Chapter 10 to establish an on-line exchange zone for internet-based transactions at the Township of Edison Public Safety Complex.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; 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 Township’s Code of General Ordinances (the “**Code**”) in accordance with the terms provided for herein and;

WHEREAS, due to the recent increase regarding in-person sales, transactions and exchanges originating from on-line marketplaces, the possibility of violence and fraud surrounding such exchanges has become a concern; and

WHEREAS, in an effort promote safer transactions regarding in-person sales, transactions and exchanges originating from on-line marketplaces, the Township believes it is in the best interests of its residents to facilitate a safe and neutral location for making in-person, private transactions to be conducted at the Township’s Public Safety Complex; and

WHEREAS, the Township Council has determined to amend Chapter 10 of the Code to establish an on-line exchange zone for internet-based transactions [at the Township’s Police Headquarters] (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 10 “Police Regulations” of the Code to read as follows:

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

10-23 INTERNET-BASED TRANSACTIONS

The Township of Edison hereby establishes an “On-Line Exchange Zone” for conducting in-person private transactions which involves a Township resident, which has been facilitated through on-line marketplaces, to be located in the lobby of the Township Public Safety Complex, twenty-four (24) hours a day, seven (7) days per week.

(a) The sale or transfer of items at the Township Public Safety Complex shall be legal items only;

(b) Private exchange of motor vehicles and/or weapons shall not be permitted;

(c) The Township will not provide police personnel or staff to witness any transaction, but the proximity of video surveillance and police personnel is meant to increase the public’s peace of mind when engaging in such transactions with unfamiliar individuals in the On-Line Exchange Zone;

- (d) The Township makes no guarantees, assurances or promises with respect to the condition or authenticity of any items exchanged between private parties, or as to the safety or security of any in-person transactions that may take place on Township property;
- (e) While it is the Township's intent that the Township Public Safety Complex lobby be available twenty-four (24) hours a day, seven (7) days per week for the exchange of legal items, the Township makes no guarantees, assurances or promises as to availability of the On-Line Exchange Zone at any particular date or time;
- (f) The Township encourages all persons to bring a cell phone in case of emergency, to notify friends and/or family of the intention to meet to conduct such a transaction, and to reconsider any transaction with someone who refuses to meet at the Township Public Safety Complex lobby;
- (g) Any individual in violation of this section shall be subject to the general penalties established in Chapter I, Section 1-5 of the Township Code of General Ordinances, and/or any other State or Federal law(s), as applicable.

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.1972-2017

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WAREHOUSE BUILDING IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,800,000, including the sum of \$90,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the

principal amount of \$1,710,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a warehouse building located at 48 Ethel Road, more specifically known as Block 21, Lot 6.D on the tax maps on the Township, including all related costs and expenditures incidental thereto.

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

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

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

the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the

gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,710,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

ORDINANCE O.1973-2017

EXPLANATION: An Ordinance amending the Township Code Chapter 11 “General Licensing and Business Regulations” setting forth requirements for filming and videotaping in the Township.

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 certain requirements concerning filming and videotaping which is within the jurisdiction and control of the Township; and

WHEREAS, the Township desires to amend Chapter 11 “General Licensing and Business Regulations” of the Code to include “11-34 Filming and Videotaping,” 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 11 “General Licensing and Business Regulations” of the Code to read as follows:

11-34 FILMING AND VIDEOTAPING.

11-34.1 Definitions.

Filming means the taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial or educational purposes intended for viewing on television or in theaters or for institutional use. Filming includes all rehearsals, preparations and assembly and dismantling of all equipment and structures, including but not limited to scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures and food.

Public Lands means any and every public street, highway, sidewalk or square, public park or playground or other public place within the Township which is within the jurisdiction and control of the Township.

11-34.2 Permits

(a) No person shall film or permit filming within the Township without obtaining a permit therefor, which permit set forth the location of such filming and the date or dates when filming shall take place. No permits shall be issued unless applied for prior to five (5) days before the requested shooting date. However, the Administrator may waive the five-day period if in his/her judgment the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

(b) Permits shall be obtained in the office of the Township Clerk during normal business hours. Applications for such permits shall be in a form approved by the Township Clerk and shall be accompanied by a permit fee in the amount established by the Township. Incidental use of a public sidewalk or street which does not result in a closing of the street or sidewalk to public use shall not be considered filming on public land.

(c) One permit shall be required for each location.

(d) One (1) permit shall be sufficient to authorize outdoor filming on one (1) day and indoor filming on one (1) day, provided that such date on which filming is to take place shall be specified in the permit, and further provided that the maximum number of days on which filming may be authorized in any calendar year for premises located in a residential zone shall not exceed ten (10) without a waiver pursuant to 11-34.4(i) of this chapter.

(e) If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Township Clerk may, at the request of the applicant, issue a new permit for filming on other dates, subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

(f) No permit shall be issued for filming within the Township on or in any private property unless written consent of the property owner and/or tenant accompanies the application. Any businesses, merchants or residents on the block in which filming will occur shall be given written notice of the filming within three (3) days prior to the requested shooting date. Said notice shall inform the businesses, merchants or residents that the application is on file with the Clerk's Office, and the businesses, merchants or residents shall be informed that objections may be filed with the Township Clerk. The objections will become part of the applicant's application and will be considered by Township officials in reviewing the same. Proof of service of the notification of adjacent property owners shall be submitted to the Township Clerk at least two (2) days prior to the requested shooting date.

11-34.3 Applications for Permits

Applications shall be obtained from and submitted to the Township Clerk in person or by mail and must contain at least the following information:

- (a) The name, address and telephone number of the applicant.
- (b) The location of the property where filming, etc., is to take place.
- (c) Whether the applicant is the owner or tenant in possession of the property.
- (d) The name and address of the owner of the property if the applicant is not the owner.
- (e) The consent of the owner if other than the applicant.
- (f) The name, address and telephone number of the person or entity the applicant wishes to allow to film, etc.
- (g) The date filming is to take place and the hours of filming.
- (h) The dates within the previous 12 months that any filming, as described in 11-34.2 above, was conducted at this location.
- (i) Approval from the Police Chief, with any conditions he may set forth if the filming is to take place on public lands.
- (j) Any other approval the Township Clerk deems necessary, with any conditions which may be set forth.
- (k) A signed statement that the applicant affirms, under penalty of perjury, that all statements contained in the application are true.

11-34.4 Rules and Regulations

(a) No permit shall be issued for filming at a particular location in a residential zone within the Township which would permit filming at said location on more than ten (10) days during any one calendar year unless a waiver pursuant to 11-34.4(i) of this chapter is granted.

(b) No permit shall be issued for filming upon public lands within the Township unless the applicant for such permit:

1. Provides proof of insurance coverage as follows: for bodily injury for any person in the amount of \$500,000 and for any aggregate occurrence in the amount of \$1,000,000.

2. Agrees, in writing, to indemnify and save harmless the Township from any and all liability or damages resulting from the use of such public lands.

3. Agrees, in writing, to reimburse the Township for any lost revenues, such as parking meter revenue, repairs to public property and other revenue that the Township was prevented from earning because of the filming.

4. Posts a cash bond of \$500 or a maintenance bond of \$1,000 in favor of the Township for protecting and ensuring that the site of the filming is left in a satisfactory condition (free of debris, rubbish and equipment), and that all Township laws and regulations are followed. Within seven (7) days of the completion of the filming, the Township return the bond if there is no damage to public or private property or public expense caused by the filming.

(c) The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Township Police Chief with respect thereto.

(d) The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and shall limit, to the extent possible, any interference with normal public activity on such public lands.

(e) The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first.

(f) Filming shall be permitted only Monday through Friday, between the hours of 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier, in residential zones.

(g) The Township Clerk may refuse to issue a permit on the basis of objective facts and after a review of the application and a report thereon by the Township Police Chief and by other Township agencies involved with the proposed filming site, that filming at the location and/or time set forth in the application would violate any law or ordinance or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

(h) Any person aggrieved by a decision of the Township Clerk denying or revoking a permit or a person requesting relief pursuant to this section may appeal to the Township Administrator. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Township Administrator. An appeal from the decision of the Township Clerk shall be filed within 10 days of the Township Clerk's decision. The Township Administrator shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Township Administrator shall be in the form of a written decision.

(i) The Township Administrator may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours herein described or may extend the duration of a

permit beyond ten (10) days or may permit filming at a particular location on more than ten (10) days during any one calendar year or may waive any other limitation or requirement of this chapter whenever he determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety and welfare.

(j) The applicant shall notify the Fire Chief twenty four (24) hours before filming takes place and shall permit the Fire Chief or his designee to inspect the site and the equipment to be used. The applicant shall comply with all fire safety instructions issued by the Fire Chief or his designee.

(k) The holder of a permit issued for filming on public lands shall hire, at said person's sole cost and expense, a Township police officer who will be present at all times at the site during the filming.

(l) Automobiles, trucks and all other vehicles owned, leased or used by the holder of a permit for either residential or public land filming shall not be parked on more than one side of the street.

11-34.5 Fees

Fees shall be as follows:

- (a) A permit fee of \$100 for a normal application.
- (b) A permit fee of \$150 for an expedited application (less than five (5) days prior to the shooting date).
- (c) A permit fee of \$750 for filming on public land.
- (d) A permit fee of \$25 for nonprofit applicants for filming for educational purposes (including public lands).
- (e) A daily filming fee of \$500 for each day of filming pursuant to any issued permit (which fee shall be waived for nonprofit applicants filming for educational purposes).

11-34.6 Exemptions

The provisions of this Chapter 11-34 *et seq.* shall not apply to the filming of news stories within the Township.

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.1974-2017

AN ORDINANCE OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY REVOKING AND RESCINDING ORDINANCE 1861-2014

WHEREAS, on April 9, 2014, the Township Council of the Township of Edison, in the County of Middlesex, New Jersey (the "Township"), finally adopted Ordinance 1861-2014, entitled, "ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$1,500,000 FOR THE PREPARATION OF AN APPROVED TAX MAP IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY" (the "Ordinance"); and

WHEREAS, the Ordinance authorized the preparation of an approved tax map for use by the local assessor in and by the Township (the "Tax Map") and a special emergency appropriation in the amount of \$1,500,000 therefore (the "Appropriation"); and

WHEREAS, the County of Middlesex has agreed to provide the Tax Map to the Township at no cost to the Township, thereby eliminating the need for funding by the Township; and

WHEREAS, the Township Council now desires to revoke and repeal the Ordinance in its entirety.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby revokes and rescinds the Ordinance in its entirety.
3. The Director of Finance for the Township is hereby authorized and directed to reflect the cancellation of the Appropriation in the Township's financial records and to take any and all action necessary to effectuate the transaction contemplated by 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 in accordance with applicable law.

RESOLUTION R.268-042017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING April 20, 2017

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through April 20, 2017

FUND	AMOUNT
Current	\$4,905,261.67
Affordable Housing	15,612.40
Capital	203,805.99
Cash Performance	273,686.46
CDBG	18,655.46
Developers Escrow	290,778.93
Dog (Animal Control)	12,826.21
Federal Forfeited	0.00
Grant Funds	1,570.46
Law Enforcement	0.00
Open Space	7,500.00
Park Improvements	0.00
Payroll Deduction	561,137.33
Sanitation Fund	202,107.48
Self Insurance	0.00
Sewer Utility	6,126,035.99
Tax Sale Redemption	737,038.65
Tree Fund	0.00
Tree Planting	14,415.95
Trust	111,781.79
Water Operating Fund	
 TOTAL	 \$13,482,214.77

/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.269-042017

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 **\$373,857.88**.

RESOLUTION R.270-042017

**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.R.467-062016**:

TAXPAYER	BT-NEWYO, LLC C/O PROPERTY TAX DEPT
PROPERTY LOCATION	1 & 3 CLOVER PL
BLOCK / LOT / QUALIFIER	390.R/10.A
DOCKET NUMBER:	006803-2016
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 **\$33,555.36** 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 **\$33,555.36**.

RESOLUTION R.271-042017

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 **\$651.71**.

RESOLUTION R.272-042017

EXPLANATION: A Resolution supporting certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 North onto Route 287.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey; and

WHEREAS, the Township’s roadways are critical to the economic health and success of the Township; and

WHEREAS, the New Jersey Department of Transportation, the New Jersey Transportation Trust Fund Authority, and/or similarly situated state entities (collectively, the “**State**”) may consider certain roadway ramp improvements, including the reconfiguration and establishment of an entrance ramp from Route 27 North in the Township onto Route 287 (the “**Project**”); and

WHEREAS, the estimated total cost of the Project is estimated to be \$30,000,000; and

WHEREAS, the area of the Project already experiences significant traffic, notwithstanding the comprehensive redevelopment occurring in downtown Metuchen, as well as the FedEx and Amazon projects slated for the former Exxon/Mobil site; and

WHEREAS, in order to make basic improvements to the area of Route 27 and Route 287 in the Township as well as to ensure the longtime, economic viability of the Township and the surrounding area that would result from the Project, the Mayor and Municipal Council hereby support the Project and encourage the Township’s legislative delegation to work with elected and appointed State officials to identify and provide funding for the necessary improvements; and

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

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

Section 2. The Municipal Council hereby endorses certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 North onto Route 287.

Section 3. The Township Clerk is hereby instructed to forward a copy of this Resolution to the State Senate and Assembly elected leadership.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.273-042017

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

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 currently owns and manages an Off-Leash Dog Area, known as Whitman Avenue Park in the Township, located at 125 Whitman Avenue, commonly referred to as Block 199-A, Lot 31-B-1 on the tax maps of the Township (the “**Whitman Avenue Dog Park**”); and

WHEREAS, the Township is in need of a playground, safety surfacing and fencing at the Whitman Avenue Dog Park (the “**Project**”); and

WHEREAS, the Township and the County of Middlesex (the “**County**”) are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Shared Services Act with regard to the Project (the “**Agreement**”); and

WHEREAS, the Township and the County are desirous of entering into an agreement for the County, at its own cost and expense to furnish, supply or undertake the construction of the Project pursuant to the Agreement and the Township shall, at its own cost and expense, furnish, supply or undertake all necessary services for construction administration of the Project pursuant to the Agreement; and

WHEREAS, the Township and the County are desirous to enter into the negotiated Agreement, a copy of which is annexed hereto as **Exhibit A**; and

WHEREAS, the Agreement shall terminate upon completion of the Project, but shall not exceed a period of one (1) year; 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:

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

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

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

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.274-042017

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex to provide aerial photogrammetric, GIS, new certified tax map and other GIS based services to 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 New Jersey Division of Taxation prescribes a uniform system of creating and maintaining real estate tax map information for municipalities and counties throughout the State; and

WHEREAS, the Township and the County of Middlesex (the “**County**”) are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Shared Services Act; and

WHEREAS, the County has committed to the implementation of a Centralized Property Tax Map Administration Project (“**CPT-MAP**”) utilizing Professional Photogrammetry and Land Surveying services for aerial photogrammetric, GIS and new certified tax mapping services to be linked to the existing digital tax assessment database to be accessible and potentially utilized by all municipalities in the County; and

WHEREAS, the CPT-MAP will extend technical and financial assistance to Municipalities in order to identify issues of inequity and inefficiencies in the tax administration process in compliance with all statutory and regulatory mandates, which will result in a significant reduction in operational expenditures; and

WHEREAS, the County and the Township are desirous to enter into a negotiated Shared Services Agreement, a copy of which is annexed hereto as **Exhibit A** (the “**Agreement**”); and

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

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

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

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

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

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

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.275-042017

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets – Phase I; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for the 2015 Road Resurfacing Program – Various Streets – Phase I, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-31-01; and

WHEREAS, MECO, Inc., PO Box 536, Clarksburg, NJ 08510 was awarded a construction contract through resolution R.371-062015 in a contract amount not to exceed \$1,013,578.25 for the project; and

WHEREAS, upon tabulation and review of as-built construction quantities and necessary field changes during construction, it has been determined by the Township Engineer that there is a net reduction of \$41,859.67 in the final construction costs resulting in a revised and final total construction contract amount of \$971,718.58, as detailed in the attached Change Order No. 1; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, and therefore recommends project acceptance, release of the performance bond following receipt of a two-year maintenance bond; and that final payment, including retainage, be made to MECO, Inc., in an amount of \$41,284.21 for a total construction contract as-built cost of \$971,718.58.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets – Phase I, is deemed accepted by the Township of Edison, and that the performance bond shall be released upon receipt of a fully executed Maintenance Bond, and that final payment, including retainage, shall be made to MECO, Inc., in an amount of \$41,284.21 for a total construction contract as-built cost of \$971,718.58, and that the remaining contract balance of \$41,859.67 be deducted from the contract, be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

RESOLUTION R.276-042017

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee & 20 percent review fee, posted for a residential construction permit, the work was never performed by Solar City, 9 Corporate drive Cranbury, NJ 08512 in the amount of \$493.00

WHEREAS, on May, 4th, 2016, a Construction Permit #2016-1650 check #765269, was posted in the total amount of \$493.00 by the contractor, Solar City, having offices at 9 Corporate Drive, Cranbury, NJ 08512 and;

WHEREAS, the application was submitted for Solar Panels at 26 Heather Drive, Edison, NJ 08820, by the hired contractor; Solar City, 9 Corporate Drive, Cranbury NJ 08512;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was cancelled therefore it is appropriate that the municipal permit fee, less the 20 percent review fee of \$92.00 less DCA fee of \$34.00 derived from the \$493.00 total construction permit fee be refunded to the contractor Solar City in the amount of \$367.00

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-1650, in the amount of \$367.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$367.00 on construction permit fees posted by Solar City, 9 Corporate Drive, Cranbury, NJ 08512 be refunded to the contractor in the amount of \$367.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$367.00 from the Refund of Revenue Fund to the Contractor, Solar City, 9 Corporate Drive, Cranbury, NJ 08512.

RESOLUTON R.277-042017

EXPLANATION: A Resolution Supporting the Community Development Block Grant Program and Urging Congress to Restore its Funding

WHEREAS, the Community Development Block Grant (CDBG) Program was enacted, and signed on August 22 into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and,

WHEREAS, the CDBG program has as its primary objective "... the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and,

WHEREAS, the CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and,

WHEREAS, throughout its 42-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the nonprofit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and

WHEREAS, according to the Department of Housing and Urban Development (HUD),CDBG provided funds for thousands of activities, assisting persons and households through such activities as expanding homeownership activities, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and child care scholarships for children of low and moderate-income families, homeless housing facilities, employment training, transportation services, public housing modernization and historic preservation; and

WHEREAS, the Township of Edison has allocated CDBG funds to various activities in the amount of \$535,448; and

WHEREAS, funding for the Program Year 2017 CDBG Program has not been finalized and approved by the President and the Congress of the United States; and

WHEREAS, the President's Fiscal Year 2018 budget proposes to completely eliminate the CDBG Program; and

WHEREAS, such action will no longer enable cities, counties and states to meet their community development, affordable housing and economic development needs.

NOW, THEREFORE, BE IT RESOLVED, that the (name of jurisdiction) hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development at a funding level of no less than \$1,748,848 in formula funding allocated in Program Year 2016.

RESOLUTION R.278-042017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Markim Developers, for 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3; Tree Permit #12-140; Account #7762575848

WHEREAS, on September 13, 2013, Markim Developers, posted Tree Maintenance Bond fees in the amount of \$675.00, with Check No. 1518, on deposit with the Township of Edison in account #7762575848 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-140, on the property identified as 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3;

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$675.00**, plus any accrued interest as applicable, on deposit in Account #7762575848 to Markim Developers, 910 Amboy Avenue, Edison, NJ 08837, for the referenced property at 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3.

RESOLUTION R.279-042017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Ziga Homes Inc., for 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B; Tree Permit #10-085; Account #**7761963698**

WHEREAS, on June 12, 2012, Ziga Homes, Inc., posted Tree Maintenance Bond fees in the amount of \$2,175.00, with Check No. 2979, on deposit with the Township of Edison in account #7761963698 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-085, on the property identified as 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,175.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,175.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$2,175.00**, plus any accrued interest as applicable, on deposit in Account #**7761963698** to Ziga Homes Inc., 910 Amboy Avenue, Edison, NJ 08837, for the referenced property at 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B.

RESOLUTION R.280-042017

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, for the property now known as 785 Old Raritan Road, Block 403, Lot 4.01; Edison, NJ, Account #7760296236

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject project located in property now known as Block 403, Lot 4.01, Application No. P5149.

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

WHEREAS, it is in now in order that the sum of \$14.43, which represents the balance of the unused portion of the engineering inspection escrow and the amount due and owing the applicant, be returned to Markim Developers, LLC, having offices at 910 Amboy Avenue, Edison, NJ 08837, Account #7760296236.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$14.43 plus accrued interest, if applicable, be refunded to the applicant, Account #7760296236.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$14.43** in account #7760296236 to the applicant, having an offices at 910 Amboy Avenue, Edison, NJ 08837.

RESOLUTION R.281-042017

EXPLANATION: Resolution refunding a Cash Performance Bond to 1000 King Georges Post Road, LLC, for guarantees associated with the construction of a Sanitary Sewer Connection within Edison Township for a warehouse located at 1000 King Georges Post Road, located in Woodbridge Township, Woodbridge Township Tax Map Reference Block: 65, Lot 12; Account #7763342555

WHEREAS, on October 2, 2015, 1000 King Georges Post Road, LLC, posted Cash Performance Check #174 in the amount of \$5,475.60 to guarantee the installation of a sanitary sewer connection within Edison Township property to support the modifications of a warehouse located within Woodbridge Township known as 1000 King Georges Post Road, Woodbridge Township Tax Map Reference Block: 65, Lot 12; 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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Cash Performance in the amount of **\$5,475.60** plus accrued interest, if applicable, on deposit in account #7763342555 to the applicant, 1000 King Georges Post Road, LLC, having offices at 160 Raritan Center Parkway, Suite 20, Edison, NJ 08837.

RESOLUTION R.282-042017

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO EXCEL ENVIRONMENTAL RESOURCES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES

WHEREAS, the Township of Edison (“Township”) has the need to renew their professional services contract with **EXCEL ENVIRONMENTAL RESOURCES, INC.**, 111 North Center Drive, North Brunswick, NJ 08902 to act as an environmental consultant to the Township of Edison, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq and N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, prior to the execution of the Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

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

WHEREAS, the total compensation paid under this contract shall not exceed \$75,000.00; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in an amount not to exceed \$75,000.00 and any other necessary documents with **EXCEL ENVIRONMENTAL RESOURCES, INC.**, 111 North Center Drive, North Brunswick, NJ 08902 for Environmental Consulting Services as described herein.
2. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
3. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
4. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
5. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding.

RESOLUTION R.283-042017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT LLC FOR THE RENEWAL OF HARDWARE & SOFTWARE SUPPORT FOR THE TOWNSHIP SERVERS

WHEREAS, there is the need for the renewal of the Hardware & Software Support for the Township Servers for the Township of Edison for the period of May 1, 2017 – April 30, 2018 in the total amount of \$13,288.00; and

WHEREAS, **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 40166 under M-0483/NASPO VALUEPOINT COMPUTER; and

WHEREAS, funds in the amount of \$13,288.00 have been certified to be available in Dispatch 911 Computer Hardware and Software Account, number 7-01-25-0250-000-059; 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 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 \$13,288.00 and any other necessary documents, with **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., 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. 40116, under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$13,288.00** are available in Account number **7-01-25-0250-000-059**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.284-042017

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES
FOR THE PURCHASE OF ONE (1) 2017 CHEVROLET TAHOE 4WD 4DR SSV FOR THE DIVISION OF
FIRE**

WHEREAS, there is a need to purchase one (1) 2017 Chevrolet Tahoe 4WD 4 DR SSV for the Division of Fire; and

WHEREAS, HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963, has been awarded State Contract Number 88729 for one (1) 2017 Chevrolet Tahoe 4WD 4DR SSV under T-2776/Police Vehicles: Sedans, Sport Utility Vehicles and Trucks; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with **HERTRICH FLEET SERVICES** for the purchase of one (1) 2017 Chevrolet Tahoe 4WD 4 DR SSV at a price of \$36,019.64; and

WHEREAS, funds in the amount of \$36,019.64 have been certified to be available in the Fire Fighting Purchase of Vehicles Account, number 7-01-25-0265-001-051; 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 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 \$36,019.64, and any other necessary documents, with **HERTRICH FLEET SERVICES**, 1427 Bay Road, Milford, DE 19963 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. 88729 under T-2776.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$36,019.64** are available for the above in Account No. **7-01-25-0265-001-051**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.285-042017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO W.W. GRAINGER INC. FOR THE PURCHASE OF ONE (1) 130KW GENERATOR FOR FIREHOUSE NO. 2 AND ONE (1) 50KW GENERATOR FOR FIREHOUSE NO. 1, INCLUDING ANCILLARY EQUIPMENT, FOR THE DIVISION OF FIRE

WHEREAS, there is a need to purchase for the Division of Fire, one (1) 130 kW generator for Firehouse No. 2 and one (1) 50kW generator for Firehouse No. 1, including ancillary equipment, at a price of \$34,307.66 and \$17,472.90, respectively, for a total purchase price of \$51,780.56; and

WHEREAS, **W. W. GRAINGER INC.**, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016 has been awarded State Contract Number 79875 for the purchase of electrical equipment under M-0002/Industrial/MRO Supplies & Equipment; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with **W. W. GRAINGER INC.** for the purchase of one (1) 130 kW generator for Firehouse No. 2 at a price of \$34,307.66 and one (1) 50kW generator for Firehouse No. 1 at a price of \$17,472.90, including ancillary equipment, for a total price of \$51,780.56; and

WHEREAS, funds in the amount of \$51,780.56 have been certified to be available in the Acquisition Self Contained Breathing Apparatus & Fire Pump Account, number C-04-16-1948-100-000; 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 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 \$51,780.56, and any other necessary documents, with **W. W. GRAINGER INC.**, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016 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. 79875 under M-0002.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$51,780.56** are available for the above contract in Account No. **C-04-16-1948-100-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.286-042017

RESOLUTION AUTHORIZING ADDITIONAL FUNDS WITH TSUJ FOR THE FURNISHING OF ELECTRICAL SERVICES FOR THE INSTALLATION OF ONE (1) 130 KW GENERATOR AT FIREHOUSE NO. 2 AND ONE (1) 50 KW GENERATOR AT FIREHOUSE NO. 1

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 under this contract to install one (1) new 150kW generator at Firehouse No. 2 and one (1) new 50 kW generator at Firehouse No. 1, with all ancillary equipment, at a cost of \$26,000.00 and \$21,000.00, respectively, for a total sum of \$47,000.00; and

WHEREAS, funds in the amount of \$47,000.00 have been certified to be available in the Acquisition Self Contained Breathing Apparatus & Fire Pump Account, number C-04-16-1948-100-000; 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 the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$47,000.00 and any other necessary documents with **TSUJ CORPORATION** described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$47,000.00** are available for the above contract in Account No. **C-04-16-1948-100-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.287-042017

WHEREAS, a recommendation was made by Mayor Thomas Lankey to re-appoint Donald Corrette, 278 Grandview Avenue, Edison, New Jersey as a member of the Fair Rental Housing Board; and

WHEREAS, the Municipal Council wishes to confirm this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Donald Corrette be re-appointed as a member of the Fair Rental Housing Board, term to expire February 10, 2020.

RESOLUTION R.288-042017

WHEREAS, a recommendation was made by Mayor Thomas Lankey to re-appoint Suzanne Cason O'Neill, 135 Vineyard Road, Edison, New Jersey as a member of the Fair Rental Housing Board; and

WHEREAS, the Municipal Council wishes to confirm this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Suzanne Cason O'Neill be re-appointed as a member of the Fair Rental Housing Board, term to expire February 10, 2020.

RESOLUTION R.289-042017

EXPLANATION: A Resolution authorizing a non-refundable grant of \$3,333.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an *affordable* housing unit.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing Fair Market value properties as Affordable Housing units (Unit), and committed one million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance by the Township's Administrative Agent with the requirements to purchase; and

WHEREAS, the Unit is now subject to a reduction in property taxes based on the affordable assessed value that is lower than the current "market rate" assessed value of the property located at 18 Burchard Street North for the 2017 tax year; and

WHEREAS, the Buyer is entitled to a non-refundable grant of \$3,333.00 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyer; and

WHEREAS, the Township will distribute these funds on behalf of the Buyer to Edison Township's Tax Collector at the time of the Closing to subsidize the property taxes; and

WHEREAS, the Township Council desires to award these funds to provide assistance in the tax differential of an *affordable* unit at 18 Burchard Street in the amount of \$2,333.00 for the purpose and under the terms set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Lani Solano, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a non-refundable grant in the amount of \$2,333.00 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Edison Township's Tax Collector for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Lani Solano, 18 Burchard Street, Edison, NJ 08837 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.290-042017

Menlo Park Plaza Associates, 90 Woodbridge Center Drive, Woodbridge, NJ 07095
Menlo Park Plaza Development
Block 694, Lots 1A, 2A, 3, 4A, 5, 6B, 7F, 12C, 12E, 12G, 12H1, 13A and
Block 1216, Lot 16; Application P-4831

Release of Balance on Performance Bond & Cash Performance Bond

WHEREAS, Menlo Park Plaza Associates, having offices at 90 Woodbridge Center Drive, Woodbridge, NJ 07095, posted a Performance Bond #S05573 on March 22, 2001 in the amount of \$2,730,246.75, to guarantee the installation of improvements for the project known as Menlo Park Plaza located in Block 694, Lots 1A, 2A, 3, 4A, 5, 6B, 7F, 12C, 12E, 12G, 12H1, 13A and Block 1216, Lot 16 and designated Application # P-4831; and

WHEREAS, The Performance Bond was reduced by Resolution R.237-052004 to a balance of \$819,074.03; and

WHEREAS, a Cash Performance Bond was posted by Letter of Credit on April 3, 2001, #SM416409C of First Union National Bank, in the amount of \$303,360.75. A Cash Bond Reduction was approved on May 12, 2004 by Resolution #R.237-052004, reducing the balance of the Cash Performance Bond by Letter of Credit to \$91,008.23; 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 amount of time that has passed since the completion of construction exceeds the statutory time for posting of a Maintenance Bond, making the posting of a Maintenance Bond unnecessary; 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 Performance Bond of \$819,074.03, reduced under R.237-052004, be released.

BE IT FURTHER RESOLVED, that the Letter of Credit, in the amount of \$91,008.23, reduced under R.237-052004, be released.

RESOLUTION R.291-042017

RESOLUTION AWARDING AN EMERGENCY CONTRACT TO A.M.E., INC FOR THE FURNISHING AND INSTALLATION OF A CHILLER AT THE MUNICIPAL COMPLEX

WHEREAS, an emergency condition exists in which the existing absorption chiller which supplies approximately 70% of the Municipal Complex with air conditioning failed and needs to be replaced; and

WHEREAS, A.M.E., INC., 1275 Bloomfield Ave., Bldg.#2, Fairfield, NJ 07004, our current HVAC Maintenance and Repair contractor, quoted a price not to exceed \$248,000.00 for this replacement; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, funds in the amount of \$248,000.00 have been certified to be available in the Various Building Improvements Capital 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, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$248,000.00, and any other necessary documents, with A.M.E., INC., 1275 Bloomfield Ave., Bldg. #2, Fairfield, NJ 07004.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$248,000.00** are available for the above contract in Account No. **C-04-14-1872-310-001**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.292-042017

EXPLANATION: This Resolution awards a Professional Services Contract to Maser Consulting P.A. to provide general engineering services for a period of sixty (60) days to the Township of Edison.

WHEREAS, there exists a need for engineering services in the Township of Edison (the “**Township**”) due to the resignation of the current Township Engineer; and

WHEREAS, Maser Consulting P.A. (“**Company**”) is skilled at and experienced in performing municipal engineering services, and will serve as the interim Township Engineer for a period of sixty (60) days; and

WHEREAS, Company will also assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer; and

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

WHEREAS, the municipal council of the Township (“**Municipal Council**”) seeks to authorize the Company to provide interim municipal engineering services to the Township for a period of sixty (60) days, to assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer, and any other services as may be reasonably required to effectuate same (the “**Services Contract**”) attached hereto as *Exhibit A*; and

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

WHEREAS, prior to the execution of the Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

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

WHEREAS, compensation to the Company for interim engineering and related services shall be paid pursuant to the Services Contract, and not to exceed Thirty Thousand Dollars (\$30,000.00); and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Municipal Council hereby authorizes the Company to perform interim municipal engineering services to the Township for a period of sixty (60) days, to assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer, and any other services as may be reasonably required to effectuate same pursuant to the Services Contract.

3. The Mayor and Township Clerk are hereby authorized to execute the Services Contract with the Company, consistent with the terms herein and in a form approved by the Township Attorney.

4. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.

5. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as *Exhibit B*, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.

6. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. Total compensation to be paid under the Services Contract will exceed \$17,500.

7. A copy of this Resolution, the Services Contract and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.

8. This Resolution shall take effect immediately.