

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
May 8, 2017
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 30, 2016 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Combined Meeting of April 24, 2017
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of Contract for RFP 17-02 Consulting Services for Recreation needs Assessment and Facility Feasibility Study.
 - b. Award of Contract Amendment/Charge Order for Contract No. 16-03-01 HVAC for Maintenance and Repairs – Libraries.
 - c. Awarding the Third and Final Year of the Public No. 15-01-23 Data and Voice Service for the Township.
 - d. Resolution authorizing a reimbursement to Central Jersey Joint Insurance fund for overpayment of workers compensation benefits.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 4, 2017
 - b. Resolution authorizing refund in the amount of \$213,221.37 for redemption of tax sale certificates.
 - c. Temporary Emergency Appropriations.
 - d. Resolution authorizing refund for tax overpayments, totaling \$3,840.03.
10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution accepting a grant in the amount of \$1,000 from Wal-Mart Foundation to support Edison Municipal Alliance Programming.
11. **FROM THE DEPARTMENT OF LAW:**

- a. An Ordinance authorizing the grant of conservation easement in the newly subdivided Block 390.DD, Lot 8.B (a/k/a 225 Raritan Center) by Federal Business Centers, Inc. to the Township of Edison.
- b. Resolution appointing Carl O' Brien, P.E. as the Stormwater Coordinator for the Township of Edison.
- c. Resolution supporting the purchase of the property identified as Block 415, Lot 5.N on the tax maps of the Township of Edison (a/k/a 1665 Woodland Avenue), by the Board of Chosen Freeholders of the County of Middlesex, New Jersey with the intention to preserve same as open space.
- d. This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Gayarti Associates, LLC, with respect to Block 412.A, Lots 4 and 5 (aka 7 Progress Street) as shown on the Township of Edison tax maps.
- e. This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Lotus PSP, LLC, with respect to Block 545.T, Lots 24.C, 25, 26, 27 & 61.B (aka 1916-1924 Oak Tree Road) as shown on the Township of Edison tax maps.

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

- a. Awarding Contract for Public Bid NO. 17-23-01 Interior Renovation at Firehouse No. 3.
- b. Resolution amending Resolution R.289-042017 authorizing a non-refundable grant from the Township Affordable Housing Down Payment/Closing Cost Affordability Assistance Program.
- c. Resolutions refunding Construction Permit fees.

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

- a. Award of Contract for Public Bid No. 16-12-07 for Elevator Maintenance and Repair.
- b. Resolution authorizing an Emergency Contract for the furnishing and installation of two variable frequency drives at the Evergreen Pump Station.
- c. Resolution to release street opening escrow.

14. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

15. **UNFINISHED BUSINESS:**

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

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)

16. **COMMUNICATIONS:**
a. None

17. **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

18. **ADJOURNMENT**

RESOLUTION AWARDING CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR CONSULTING SERVICES FOR RECREATION NEEDS ASSESSMENT AND FACILITY FEASIBILITY STUDY

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on February 17, 2017, for RFP 17-02-CONSULTING SERVICES FOR RECREATION NEEDS ASSESSMENT AND FACILITY FEASIBILITY STUDY for a bid opening date of March 23, 2017 and four (4) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it has been recommended by the Township that the contract be awarded to **SUBURBAN CONSULTING ENGINEERS, INC.**, 96 U.S. HWY 206, Suite 101, Flanders, NJ 07836 in the amount not to exceed \$59,915.00; and

WHEREAS, funds in the amount of \$59,915.00 have been certified to be available in the Section 20 Costs Capital Account, Number C-04-14-1872-490-000; and

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

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

1. All proposals have been reviewed, and the proposal as submitted by **SUBURBAN CONSULTING ENGINEERS, INC.**, 96 U.S. HWY 206, Suite 101, Flanders, NJ 07836 is determined to be in the best interest of the township, price and other factors considered, for CONSULTING SERVICES FOR RECREATION NEEDS ASSESSMENT AND FACILITY FEASIBILITY STUDY.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$59,915.00, and any other necessary documents, with **SUBURBAN CONSULTING ENGINEERS, INC.** in accordance with the RFP and their proposal.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$59,915.00** are available for the above contract in Account No. **C-04-14-1872-490-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

**RESOLUTION AWARDING CONTRACT AMENDMENT/CHANGE ORDER #1 WITH A.M.E., INC.
FOR HVAC MAINTENANCE AND REPAIR-LIBRARIES**

WHEREAS, A.M.E., INC., 1275 Bloomfield Ave., Bldg. 2, Suite 17B, Fairfield, NJ 07004, was awarded Contract No. 16-03-01-HVAC Maintenance and Repair-Libraries on January 11, 2017 through Resolution R.013-12017 in the amount of \$45,000.00; and

WHEREAS, during the performance of said contract it has been discovered that there is additional equipment that needs to be maintained that is not in the original contract resulting in a need for an amendment to the contract/change order #1 in the amount of \$4,000.00; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

WHEREAS, the Township recommends authorization of the required amendment/Change Order #1 be made to A.M.E., INC in an amount not to exceed \$4,000.00 for a total contract amount of \$49,000.00; 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 the Township's recommendations as described herein.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the contract amendment/change order #1 to Contract 16-03-01 with A.M.E., INC is authorized and approved in the amount of \$4,000.00 resulting in a total revised contract amount of \$49,000.00.

**RESOLUTION AWARDING THE THIRD AND FINAL YEAR OF THE DATA AND VOICE SERVICE
CONTRACT TO BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK
SOLUTIONS**

WHEREAS, bids were received by the Township of Edison on April 14, 2015 for Public Bid No. 15-01-23-Data and Voice Service for the Township of Edison; and

WHEREAS, BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS, 116 Oceanport Ave., Bldg. 1, Little Silver, NJ 07739 submitted the lowest legally responsible, responsive bid; and

WHEREAS, R.284-052015 dated May 13, 2015 authorized the first year of a three year contract with BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS for the period of July 8, 2015 through July 7, 2016; and

WHEREAS, we are awarding the third and final year of the contract for the period of July 7, 2017 through July 6, 2018; with all terms and conditions of the contract remaining the same; and

WHEREAS, the total amount of the third year contract shall not exceed \$35,000.00; and

WHEREAS, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison that the Mayor, or his designee, is hereby authorized to execute the third and final year of the contract in the amount not to exceed \$35,000.00 and any other necessary documents, with BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTION as described herein.

RESOLUTION AUTHORIZING A REIMBURSEMENT TO CENTRAL JERSEY JOINT INSURANCE FUND (CJJIF) FOR OVERPAYMENT OF WORKERS COMPENSATION BENEFITS

WHEREAS, Central Jersey Joint Insurance Fund, made an overpayment for Workers Compensation Benefits for Julie Shamy to the Township of Edison for the amount of \$1,160.00;
and

WHEREAS, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Central Jersey Joint Insurance Fund for overpayment of \$1,160.00.

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 \$1,160.00 to Central Jersey Joint Insurance Fund of P.O. Box 1209 Piscataway, NJ 08855, which amount represents the amount of overpayment for Workers Compensation Benefits.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$1,160.00** are available for the above refund in Account No. **6-01-55-0291-000-000**.

Nicholas Fargo, Chief Financial Officer

Date

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MAY 4, 2017

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 4, 2017.

| FUND | AMOUNT |
|----------------------|------------------------|
| Current | \$13,882,206.15 |
| Affordable Housing | 54,258.75 |
| Capital | 268,603.40 |
| Cash Performance | 5,448.61 |
| CDBG | 72,413.33 |
| Developers Escrow | 21,119.04 |
| Dog (Animal Control) | 12,410.88 |
| Federal Forfeited | 1,105.41 |
| Grant Funds | 10,269.95 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |
| Park Improvements | 0.00 |
| Payroll Deduction | 572,613.35 |
| Sanitation Fund | 87,874.05 |
| Self Insurance | 0.00 |
| Sewer Utility | 61,733.64 |
| Tax Sale Redemption | 362,046.59 |
| Tree Fund | 0.00 |
| Tree Planting | 2,850.00 |
| Trust | 261,246.05 |
| Water Operating Fund | |
| TOTAL | \$15,676,239.20 |

/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

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 **\$213,221.37**.

May 10, 2017

TEMPORARY EMERGENCY APPROPRIATIONS

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

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20, 2017 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2017 Calendar Year Budget,

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

| <u>CURRENT FUND</u> | <u>AMOUNT</u> |
|---|----------------------|
| BUSINESS ADMINISTRATOR Salary | 49,500.00 |
| BUSINESS ADMINSTRATOR Other Expenses | 2,149.42 |
| | |
| PURCHASING Salary | 19,000.00 |
| PURCHASING Other Expenses | 22,000.00 |
| PURCHASING CENTRAL STORE Other Expenses | 30,000.00 |
| | |
| COMMUNICATIONS/EDISON TV Salary | 11,000.00 |
| COMMUNICATIONS/EDISON TV Other Expenses | 3,987.50 |
| | |
| PERSONNEL/HR Salary | 13,000.00 |
| PERSONNEL/HR Other Expenses | 804.17 |
| | |
| MAYOR Salary | 3,800.00 |
| MAYOR Other Expenses | 200.00 |
| | |
| COUNCIL Salary | 6,600.00 |
| COUNCIL Other Expenses | 615.00 |
| | |
| MUNICIPAL CLERK Salary | 14,000.00 |
| MUNICIPAL CLERK Other Expenses | 9,612.50 |
| | |
| ETHICS COMMISSION Other Expenses | 191.67 |
| | |
| FINANCE DEPARTMENT Salary | 600.00 |

| | |
|-------------------------------------|--------------|
| FINANCE DEPARTMENT Other Expenses | 28,945.83 |
| DISBURSEMENTS Salary | 18,000.00 |
| DISBURSEMENTS Other Expenses | 91.67 |
| PAYROLL Salary | 4,500.00 |
| PAYROLL Other Expenses | 0.00 |
| AUDIT SERVICES | 6,007.33 |
| DATA PROCESSING Other Expenses | 0.00 |
| TAX COLLECTION Salary | 22,000.00 |
| TAX COLLECTION Other Expenses | 2,287.50 |
| TAX ASSESSMENT Salary | 19,650.00 |
| TAX ASSESSMENT Other Expenses | 13,900.00 |
| LEGAL DEPARTMENT Salary | 6,230.76 |
| LEGAL DEPARTMENT Other Expenses | 111,666.67 |
| ENGINEERING SERVICES Salary | 51,245.75 |
| ENGINEERING SERVICES Other Expenses | 13,140.08 |
| PLANNING BOARD Other Expenses | 2,083.33 |
| ENVIRONMENTAL COMM Other Expenses | 25.00 |
| ZONING BOARD Other Expenses | 2,158.33 |
| PLANNING & ZONING DEPT Salary | 16,200.00 |
| PLANNING & ZONING Other Expenses | 8,416.67 |
| CONSTRUCTION ENFORC AGENCY Salary | 78,816.72 |
| CONST ENF AGENCY Other Expenses | 26,941.67 |
| RENT CONTROL BOARD Salary | 1,400.00 |
| RENT CONTROL BOARD Other Expenses | 274.17 |
| GROUP HEALTH INSURANCE | 1,621,292.13 |
| EMPLOYEE SALARY AND WAGES(WAIVERS) | 0.00 |
| UNEMPLOYMENT INSURANCE EXPENSE | 16,666.67 |
| INSURANCE & SURETY Expense | 0.00 |

| | |
|---------------------------------------|--------------|
| LOSAP-Other Expenses | 8,333.33 |
| POLICE DEPARTMENT Salary | 1,983,827.26 |
| POLICE DEPARTMENT Other Expenses | 140,700.00 |
| DISPATCH 911 Salary | 135,495.54 |
| DISPATCH 911 Other Expenses | 233,400.00 |
| OFFICE OF EMRGNCY MGMT Other Expenses | 1,291.67 |
| AID TO VOL FIRE | 9,166.67 |
| AID TO VOL FIRST AID | 8,750.00 |
| FIRE FIGHTING Salary | 1,581,187.18 |
| FIRE FIGHTING Other Expenses | 0.00 |
| FIRE PREVENTION Salary | 27,000.00 |
| FIRE PREVENTION Other Expenses | 9,520.00 |
| FIRE HYDRANT CHARGES | 125,807.91 |
| STREETS & ROADS Salary | 99,900.00 |
| STREETS & ROADS Other Expenses | 27,066.67 |
| SOLID WASTE RECYCLING Salary | 80,600.00 |
| SOLID WASTE RECYCLING Other Expenses | 5,154.17 |
| BUILDINGS & GROUNDS Salary | 134,324.35 |
| BUILDINGS & GROUNDS Other Expenses | 11,958.33 |
| MUNICIPAL GARAGE Salary | 79,353.15 |
| MUNICIPAL GARAGE Other Expenses | 7,991.67 |
| POLICE VEHICLES Salary | 21,516.90 |
| POLICE VEHICLES Other Expenses | 65,000.00 |
| CONDO COMMUNITY COSTS | 13,333.33 |
| HEALTH Salary | 111,047.83 |
| HEALTH Other Expenses | 5,791.04 |

| | |
|---------------------------------------|----------------------------|
| SENIOR CITIZEN Salary | 27,527.78 |
| SENIOR CITIZEN Other Expenses | 3,237.50 |
| RECREATION Salary | 123,983.70 |
| RECREATION Other Expenses | 46,682.31 |
| PARKS & TREES Salary | 110,166.66 |
| PARKS & TREES Other Expenses | 20,000.00 |
| FREE PUBLIC LIBRARY Salary | 166,352.22 |
| FREE PUBLIC LIBRARY Other Expenses | 249,422.83 |
| CELEBRATION OF PUBLIC EVENTS EXPENSES | 5,000.00 |
| PUBLIC BUILDINGS HEAT,LIGHT,POWER | 78,872.41 |
| STREET LIGHTING EXPENSE | 91,666.67 |
| PUBLIC BUILDINGS TELEPHONE | 20,833.33 |
| FUEL & LUBRICANTS Other Expenses | 68,820.41 |
| CONTINGENT Expense | 4,166.67 |
| PERS Expense | 4,000.00 |
| O.A.S.I. (SOCIAL SECURITY) Expense | 222,386.68 |
| MUNICIPAL COURT Salary | 46,257.68 |
| MUNICIPAL COURT Other Expenses | 4,255.83 |
| PUBLIC DEFENDER Salary | 2,416.67 |
| PUBLIC DEFENDER Other Expenses | 166.67 |
| TOTAL CURRENT FUND | <u><u>8,482,733.56</u></u> |

SEWER UTILITY FUND**AMOUNT**

| | |
|--|---------------------|
| SEWER Salary | 264,000.00 |
| SEWER Other Expenses | 1,225,650.01 |
| SEWER Sewerage Disposal Charges | |
| SEWER Public Emp Retirement Sys (PERS) | |
| SEWER Social Security (OASI) | 12,500.00 |
| Sewer Unemployment Insurance | 2,083.33 |
| TOTAL SEWER UTILITY FUND | <u>1,504,233.34</u> |

SANITATION FUND**AMOUNT**

| | |
|---|-------------------|
| SANITATION Salary | 212,500.00 |
| SANITATION Other Expenses | 240,599.69 |
| SANITATION EMPLOYEE GROUP HEALTH INSURANCE | 298,605.50 |
| SANITATION Public Emp Retirement Sys (PERS) | |
| SANITATION Social Security (OASI) | 16,666.67 |
| SANITATION Disposal Fees | 141,666.67 |
| TOTAL SANITATION FUND | <u>910,038.53</u> |

RESOLUTION

Authorizing refund for tax overpayments

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$3,840.03**.

**RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$1,000 FROM WAL-MART
FOUNDATION TO SUPPORT EDISON MUNICIPAL ALLIANCE PROGRAMMING**

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$1,000 from the Wal-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds in support of various programs conducted by the Edison Municipal Alliance; and

WHEREAS, these programs have a significant benefit to the residents of Edison; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$1,000, and that the Mayor, or his designee is hereby authorized to execute any and all documents with respect to this grant described herein.

ORDINANCE O.

EXPLANATION: An Ordinance authorizing the grant of conservation easement in the newly subdivided Block 390.DD, Lot 8.B (a/k/a 225 Raritan Center) by Federal Business Centers, Inc. to the Township of Edison.

WHEREAS, the Township of Edison Planning Board (the “**Planning Board**”) by Resolution dated March 7, 2017 (the “**Resolution**”) approved an application to subdivide Block 390.DD, Lot 8.B in the Township of Edison (the “**Township**”), whereby the newly created Lot 8.2, consisting of 4.454 acres, is to remain in its natural state as open space (the “**Property**” or the “**Open Space Lot**”); and

WHEREAS, the Resolution requires the owner of the Property, Federal Business Centers, Inc., to convey to the Township a conservation easement to protect the natural condition of the Property (the “**Conservation Easement**”); and

WHEREAS, the Township wishes to accept the Conservation Easement to ensure that the Property is preserved and protected in perpetuity; and

WHEREAS, pursuant to the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, the Township is permitted to accept dedication of the Conservation Easement and is required to authorize and approve the Conservation Easement by ordinance.

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

1. The Township Council hereby authorizes and approves the Conservation Easement substantially in the form attached hereto as **Exhibit A**.

2. The Township Council hereby authorizes the Mayor, Township Administrator, Township Clerk, Township Attorney, Chief Financial Officer and other necessary Township Officials to execute, deliver and accept the Easement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Conservation Easement and this Ordinance.

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

EXPLANATION: A Resolution appointing Carl O'Brien, P.E., as the Stormwater Coordinator for the Township of Edison.

RESOLUTION _____

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

WHEREAS, the Township is the owner and operator of a Municipal Separate Storm Sewer System ("**MS4**"), the operation of which is subject to the provisions of the New Jersey Department of Environmental Protection ("**NJDEP**") Tier 'A' Municipal Stormwater General Permit No. NJ0141852 ("**MS4 Permit**"); and

WHEREAS, *N.J.A.C. 7:14A-4.9* and the MS4 Permit require the Township to appoint a Municipal Stormwater Program Coordinator ("**Stormwater Coordinator**"), whose responsibilities include, but are not limited to, signing and certifying all reports submitted to the NJDEP pursuant to the MS4 Permit; and

WHEREAS, pursuant to *N.J.A.C. 7:14A-4.9(b)*, the Township may assign these Stormwater Coordinator responsibilities to a person that is already responsible for overall MS4 facilities or municipal environmental matters; and

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to appoint Carl O'Brien, P.E., as Stormwater Coordinator in accordance with *N.J.A.C. 7:14A-9* and the provisions of the MS4 Permit.

Section 3. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 4. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator.

Section 5. This Resolution shall take effect immediately.

EXPLANATION: A Resolution supporting the purchase of the property identified as Block 415, Lot 5.N on the tax maps of the Township of Edison (a/k/a 1665 Woodland Avenue), by the Board of Chosen Freeholders of the County of Middlesex, New Jersey, with the intention to preserve same as open space.

RESOLUTION _____

WHEREAS, the Township of Edison (the “**Township**”), and the County of Middlesex, New Jersey (the “**County**”), when appropriate, have displayed interests and furthered preservation of certain parcels in the Township and County, as open space, parks, farmland, and/or historic sites; and

WHEREAS, it has come to the attention of the municipal council of the Township (the “**Municipal Council**”), by way of a recent Township Public Open Space meeting, that the property owner of Block 415, Lot 5.N on the tax maps of the Township (a/k/a 1665 Woodland Avenue) (the “**Ferrante Property**”) has indicated a desire to sell the Ferrante Property to the County in furtherance of the Ferrante Property’s preservation as open space; and

WHEREAS, it is the understanding of the Municipal Council that the County is undertaking its due diligence in furtherance of the County’s potential purchase of the Ferrante Property; and

WHEREAS, in furtherance of certain Township objectives to, where appropriate, encourage the preservation of certain parcels in the Township as open space, and in support of the County’s interest in same, the Municipal Council hereby supports the County’s efforts to purchase the Ferrante Property in furtherance of the Ferrante Property’s preservation as open space; and

WHEREAS, the Municipal Council seeks to transmit the Township’s support of the County’s prospective purchase of the Ferrante Property, and the County’s continued preservation of same as open space, to the Board of Chosen Freeholders of the County of Middlesex, New Jersey

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council supports the County’s purchase of the Ferrante Property in furtherance of Open Space planning.
3. The Municipal Clerk of the Township shall forward a certified copy of this resolution to Board of Chosen Freeholders of the County of Middlesex, New Jersey.
4. This Resolution shall take effect immediately.

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Gayarti Associates, LLC, with respect to Block 412.A, Lots 4 and 5 (aka 7 Progress Street) as shown on the Township of Edison tax maps.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, Block 412.A, Lots 4 and 5 (aka 7 Progress Street) as shown on the Township of Edison tax maps (the “**Property**”) was the subject of an application before the Zoning Board of the Township of Edison (hereinafter the “**Board**”) made by Gayarti Associates, LLC (“**Developer**”) for preliminary and final site plan approval to convert a vacant building into a mixed-use building with an adult day care, medical offices and general office space (the “**Project**”); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on February 21, 2017 (the “**Resolution**”); and

WHEREAS, the Township of Edison (the “**Township**”) and Developer desire to enter this Agreement to establish the terms pursuant to which the Developer shall connect to the Township’s sanitary sewer system, and related matters; and

WHEREAS, the Resolution and the Code of the Township of Edison require the developer to enter into a developer’s agreement with the Township in connection with the Project; and

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

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Lotus PSP, LLC, with respect to Block 545.T, Lots 24.C, 25, 26, 27 & 61.B (aka 1916-1924 Oak Tree Road) as shown on the Township of Edison tax maps.

RESOLUTION _____

WHEREAS, Block 545.T, Lots 24.C, 25, 26, 27 & 61.B (aka 1916-1924 Oak Tree Road) as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Lotus PSP, LLC ("**Developer**") for preliminary and final site plan approval to construct 12,480 square feet of medical/general office/retail building space and to provide a parking lot for 73 parking spaces (the "**Project**"); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on July 14, 2014 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Agreement to establish the terms pursuant to which the Developer shall connect to the Township's sanitary sewer system, and related matters; and

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

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

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO T. GALANTE CONSTRUCTION INC. FOR INTERIOR RENOVATIONS AT FIREHOUSE NO. 3 – 849 AMBOY AVENUE

WHEREAS, bids were received by the Township of Edison on April 26, 2017 for Public Bid No. 17-23-01 INTERIOR RENOVATIONS AT FIREHOUSE NO. 3 – 849 AMBOY AVENUE, TOWNSHIP OF EDISON; and

WHEREAS, **T. GALANTE CONSTRUCTION INC.**, 1133 Hwy 35 South, Laurence Harbor, NJ 08879, submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$66,247.00; and

WHEREAS, funds in the amount of \$66,247.00 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 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 **T. GALANTE CONSTRUCTION INC.**, 1133 Hwy 35 South, Laurence Harbor, NJ 08879 for the interior renovation of Firehouse No. 3 located at 849 Amboy Avenue, 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 \$66,247.00, and any other necessary documents, with **T. GALANTE CONSTRUCTION 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 **\$66,247.00** are available for the above contract in Account No. **C-04-14-1872-310-001**.

Nicholas C. Fargo
Chief Financial Officer

Date

Explanation: Amending Resolution R.289-42017 authorizing a non-refundable grant of \$2,333.00 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

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 \$2,333.00 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.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on May 5, 2016, a Construction Permit fee, check #765278, permit #2016-1685, was posted in the total amount of \$840.00 by the contractor, SolarCity Corp., having offices at 9 Corporate Dr., Cranbury, NJ 08512 ; and

WHEREAS, the application was submitted for a Solar Installation at 7 Renee Ct. Edison, NJ 08820, by the hired contractor; SolarCity

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$605.00, derived from the \$840.00 total construction permit fee less the \$84.00 DCA fee, and less the 20% plan review fee of \$151.00 be refunded to the contractor SolarCity.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-1685, in the amount of \$605.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$605.00 on construction permit fees posted by SolarCity for 7 Renee Ct. 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 \$605.00 from the Refund of Revenue Fund to the Contractor, SolarCity, 9 Corporate Dr., Cranbury, NJ 08512.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on June 22 ,2016 , a Construction Permit fee, check #2012969, permit #2016-2424, was posted in the total amount of \$362.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 4 Doris Ct. Edison, NJ 08817, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$280.00, derived from the \$362.00 total construction permit fee less the \$12.00 DCA fee, and less the 20% plan review fee of \$70.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-2424, in the amount of \$280.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$280.00 on construction permit fees posted by SunRun for 4 Doris Ct. 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 \$280.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 2,2015, a Construction Permit fee, check #2011404, permit #2015-4181, was posted in the total amount of \$424.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 18 Ramsey Rd. Edison, NJ 08820, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$320.00, derived from the \$424.00 total construction permit fee less the \$24.00 DCA fee, and less the 20% plan review fee of \$80.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-4181, in the amount of \$320.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$320.00 on construction permit fees posted by SunRun for 18 Ramsey Rd. 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 \$320.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on January 20,2016 , a Construction Permit fee, check #2012290, permit #2016-0347, was posted in the total amount of \$415.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 24 Fox Rd. Edison, NJ 08817, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$320.00, derived from the \$415.00 total construction permit fee less the \$15.00 DCA fee, and less the 20% plan review fee of \$80.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-0347, in the amount of \$320.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$320.00 on construction permit fees posted by SunRun for 24 Fox Rd. 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 \$320.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on May 18, 2016 , a Construction Permit fee, check #2012810, permit #2016-1929, was posted in the total amount of \$362.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 67 Oakland Ave. Edison, NJ 08817, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$280.00, derived from the \$362.00 total construction permit fee less the \$12.00 DCA fee, and less the 20% plan review fee of \$70.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-1929, in the amount of \$280.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$280.00 on construction permit fees posted by SunRun for 67 Oakland Ave. 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 \$280.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2566, permit #2015-4247 was posted in the total amount of \$489.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 3 Dolores Dr. Edison, NJ 08820, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$340.00, derived from the \$489.00 total construction permit fee less the \$64.00 DCA fee, and less the 20% plan review fee of \$85.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-4247, in the amount of \$340.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$340.00 on construction permit fees posted by Vivint Solar for 3 Dolores Dr. 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 \$340.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2721, permit #2015-5029 was posted in the total amount of \$460.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 3 Forman Ct. Edison, NJ 08817, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$340.00, derived from the \$460.00 total construction permit fee less the \$35.00 DCA fee, and less the 20% plan review fee of \$85.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-5029, in the amount of \$340.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$340.00 on construction permit fees posted by Vivint Solar for 3 Forman Ct. 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 \$340.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2720, permit #2015-5027 was posted in the total amount of \$514.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 19 Brian Rd. Edison, NJ 08817, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$360.00, derived from the \$514.00 total construction permit fee less the \$64.00 DCA fee, and less the 20% plan review fee of \$90.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-5027, in the amount of \$360.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$360.00 on construction permit fees posted by Vivint Solar for 19 Brian Rd. 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 \$360.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #1972, permit #2015-2311 was posted in the total amount of \$502.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 23 Carmello Dr. Edison, NJ 08817, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$352.00, derived from the \$502.00 total construction permit fee less the \$62.00 DCA fee, and less the 20% plan review fee of \$88.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-2311, in the amount of \$352.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$352.00 on construction permit fees posted by Vivint Solar for 23 Carmello Dr. 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 \$352.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2719, permit #2015-5028 was posted in the total amount of \$529.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 37 Lydia Ln. Edison, NJ 08817, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$360.00, derived from the \$529.00 total construction permit fee less the \$79.00 DCA fee, and less the 20% plan review fee of \$90.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-5028, in the amount of \$360.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$360.00 on construction permit fees posted by Vivint Solar for 37 Lydia Ln. 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 \$360.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2568, permit #2015-4245 was posted in the total amount of \$845.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 93 Christie St. Edison, NJ 08820, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$340.00, derived from the \$845.00 total construction permit fee less the \$420.00 DCA fee, and less the 20% plan review fee of \$85.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-4245, in the amount of \$340.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$340.00 on construction permit fees posted by Vivint Solar for 93 Christie St. 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 \$340.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 9,2015 , a Construction Permit fee, check #2413, permit #2015-3868 was posted in the total amount of \$540.00 by the contractor, Vivint Solar, having offices at 2400 Main St., Sayerville, NJ 08872 ; and

WHEREAS, the application was submitted for a Solar Installation at 282 McKinley Ave. Edison, NJ 08820, by the hired contractor; Vivint Solar

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$400.00, derived from the \$540.00 total construction permit fee less the \$40.00 DCA fee, and less the 20% plan review fee of \$100.00 be refunded to the contractor Vivint Solar.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-3868, in the amount of \$400.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$400.00 on construction permit fees posted by Vivint Solar for 282 McKinley Ave. 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 \$400.00 from the Refund of Revenue Fund to the Contractor, Vivint Solar, 2400 Main St., Sayerville, NJ 08872.

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CURRENT ELEVATOR TECHNOLOGY, INC. FOR THE FURNISHING OF ELEVATOR MAINTENANCE AND REPAIR

WHEREAS, FEDERAL ELEVATOR INC., 1106B Industrial Parkway, Brick, NJ 08724, was awarded Contract No. 16-12-07 for Elevator Maintenance and Repair through Resolution R. 038-012017; and

WHEREAS, FEDERAL ELEVATOR, INC., notified the Township of Edison on March 31, 2017 that the company was closing effective immediately causing the Township to rebid this contract; and

WHEREAS, the Township rebid the contract and bids were received by the Township of Edison on April 11, 2017 for Public Bid No. 17-12-07 ELEVATOR MAINTENANCE AND REPAIR; and

WHEREAS, CURRENT ELEVATOR TECHNOLOGY, INC., P.O. Box 246, Milford, PA 18337, submitted the lowest legally responsible bid; and

WHEREAS, the initial contract shall be for one year from execution of the contract with the option to renew for the second year at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the second year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$60,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid by CURRENT ELEVATOR TECHNOLOGY, INC., P.O. Box 246, Milford, PA 18337 for Elevator Maintenance and Repair is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$60,000.00 for the first year and any succeeding renewal year and any other necessary documents, with CURRENT ELEVATOR TECHNOLOGY, INC., as described herein.

RESOLUTION AUTHORIZING AN EMERGENCY CONTRACT WITH LONGO ELECTRICAL-MECHANICAL, INC. FOR THE FURNISHING AND INSTALLATION OF TWO (2) VARIABLE FREQUENCY DRIVES AT THE EVERGREEN PUMP STATION

WHEREAS, an emergency condition exists in which the Township needs to replace two variable frequency drives at the Evergreen Pump Station; and

WHEREAS, LONGO ELECTRICAL-MECHANICAL, INC., 1 Harry Shupe Blvd, Wharton, NJ 07885, our current contractor for Electrical Services for Sewer Pump Stations under Contract No. 16-12-12 quoted a price not to exceed \$20,400.00; and

WHEREAS, funds in the amount of \$20,400.00 have been certified to be available in the Sewer Maintenance of Other Equipment Account, number 7-07-55-0501-000-026; 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 \$20,400.00 and any other necessary documents with **LONGO ELECTRICAL-MECHANICAL, INC.** as described herein.
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 **\$20,400.00** are available for the above contract in Account No. **7-07-55-0501-000-026**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000227, to the following:

| | |
|--|---|
| Permit Number: | 20362 |
| Opening Location: | 21 Reed Street |
| Block/Lot: | 99.A/17 |
| Applicant's Name & Address: | Binsky & Snyder LLC 281 Centennial Avenue Piscataway, NJ 08854 |
| Initial Deposit Date: | 04/10/17 |
| Deposit Amount: | \$1,200.00 |
| Paid by & refunded to: | Binsky & Snyder LLC 281 Centennial Avenue Piscataway, NJ 08854 |

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

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.