

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, June 13, 2018
7:00 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 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Regular Meeting of March 28, 2018
5. **COUNCIL PRESIDENT'S REMARKS**
6. **RESOLUTIONS OF RECOGNITION:**

Resolution R.293-062018 – Eagle Scout Shankar Saikia
Resolution R.294-062018 – Michael Meehan, Veteran
7. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
 - a. Re-Appointment of Jay Elliot to Fair Rental Housing Board
 - b. Appointment of Sanjay Kumar Masrani to Fair Rental Housing Board
 - c. Appointment of Patricia Johnson as First Alternate of Fair Rental Housing Board
 - d. Correction of Appointment of Raju Desai as Second Alternate of Fair Rental Housing Board
8. **CALENDAR YEAR 2018 MUNICIPAL BUDGET:**
 - a. Introduction of the Calendar Year 2018 Municipal Budget
9. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, JUNE 27, 2018.**

**O.2010-2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK.**

O.2011-2018 **ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 36, "SUBDIVISIONS AND SITE PLANS," UPDATING SECTION 36-11.2, "ADDITIONAL DESIGN STANDARDS," TO REFLECT THE APPROPRIATE DEPOSITORY FOR FEES COLLECTED AS A RESULT OF THE GRANT OF WAIVERS FROM THE REQUIRED INSTALLATION OF SIDEWALKS, CURBS AND GUTTERS.**

O.2012-2018 **AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWNSHIP CODE TO UPDATE THE LIST OF ZONES SUBJECT TO RESIDENTIAL PARKING PERMITS.**

O.2013-2018 **AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 12-27, "NOISE CONTROL," REVISING SECTIONS 12-27.4, "NOISE CONTROL OFFICERS/ADMINISTRATORS" AND 12-27.9, "CONDITIONS FOR VARIANCE," TO CLARIFY THAT APPLICATIONS FOR VARIANCES FROM THE TOWNSHIP NOISE CONTROL CODE SHALL BE GRANTED AT THE DISCRETION OF THE TOWNSHIP BUSINESS ADMINISTRATOR.**

10. PUBLIC COMMENT ON THE RESOLUTIONS:

11. 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.295-062018 Resolution approving disbursements for the period ending June 7, 2018.

R.296-062018 Resolution authorizing refund in the amount of \$105,264.35 for redemption of tax sale certificates.

R.297-062018 Resolution authorizing refund for tax overpayments totaling, 32,814.66.

R.298-062018 Temporary Budget Appropriations

R.299-062018 Resolution authorizing overpayment refund caused by Successful Tax Appeal for 15 Dana Circle, Block 1017, lot 5, Mukesh & Paru Patel in the amount of \$720.38.

- R.300-062018 Resolution authorizing the award of a Non-Fair and Open contract to Vital Communications, Inc. for Maintenance and support of data processing Tax Assessor software used by the Tax Assessor Office in the amount of \$48,000.00.
- R.301-062018 Resolution Award of Contract for Public Bid No. 18-06-03 Medical Supplies to Bound Tree Medical, LLC in an amount not to exceed \$39,000.00.
- R.302-062018 Resolution Award of Contract for Public Bid No. 18-06-03 Medical Supplies to V.E. Ralph & Son, Inc. Co.in an amount not to exceed \$36,000.00
- R.303-062018 Award of Contract/Purchase Order to Motorola Solutions, Inc. for the Maintenance, Repair and Purchase of Radio Communication Equipment and Services in an amount not to exceed \$332,649.20.
- R.304-062018 Award of Contract to Verizon Wireless Cellco partnership for the furnishing of Cellular phone services and wireless cards in an amount not to exceed \$150,000.00.
- R.305-062018 Award of Contract for Public Bid No. 18-02-03 Supplies for Office Equipment to The Office Pal in an amount not to exceed \$12,000.00.
- R.306-062018 Award of Contract for Public Bid No. 18-02-03 Supplies for Office Equipment to Office Needs in an amount not to exceed \$8,000.00.
- R.307-062018 Award of Contract for Public Bid No. 18-02-03 Supplies for Office Equipment to The Tree House, Inc., in an amount not to exceed \$25,000.00.
- R.308-062018 Award of Contract for Public Bid No. 18-02-03 Supplies for Office Equipment to W.B. Mason Co, Inc., in an amount not to exceed \$10,000.00.
- R.309-062018 Award of Contract for Public Bid No. 18-02-03 Supplies for Office Equipment to Beyond Technology in an amount not to exceed \$25,000.00.
- R.310-062018 Resolution authorizing the use of Competitive Contracting for the Management and Administration of the Edison Police Division's off Duty Detail Management.
- R.311-062018 Resolution designating the property commonly known on the Township tax maps as Block 124, Lot, 20.01 (2195 Lincoln Highway Route 27) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*
- R.312-062018 Resolution authorizes the Mayor to execute the attached Developer's Agreement with Indie Bridge, LLC with respect to Block 546-NN, Lot 19 (more commonly known as 36 Meridian Road), as shown on the Township of Edison tax maps.
- R.313-062018 This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison, NJ (49 Route 27), LLC with respect to Block 673, Lot 7 (more commonly known as 49 Lincoln Highway U.S. Route 27), as shown on the Township of Edison tax map.

- R.314-062018 This Resolution provides for the refund of the Developers Escrow Fees posted by Evan Kalambakas for the Planning Board application No –P15-2017 which was discovered the applicant did not need to go to Planning Board for a hearing.
- R.315-062018 This Resolution provides refund of unused portion of Engineering Inspection Fees to Kilmer I , LP. Truman Drive , Edison, NJ 08817 Application #P09-2015 located in Block #3.E Lot # 3.014.
- R.316-062018 Award of Contract for Home Improvements as part of the Community Development Block Grant Program to New Venture Construction in the amount of \$12,310.00.
- R.317-062018 Award of Contract for Public Bid for 2018 Road Resurfacing Program for Various Streets – Contract 1 to P & A Construction, Inc. in the amount of \$2,063,963.25.
- R.318-062018 Award of Contract for Public Bid for 2018 Road Resurfacing Program for Various Streets – Contract 2 to Z Brothers Concrete Contractors, Inc. in the amount of \$1,881,985.17.
- R.319-062018 Resolution Of The Township Council Of The Township Of Edison Approving The Fiscal Year 2018 Community Development Block Grant Program And The Filing Of The Fiscal Year 2018 Consolidated Annual Action Plan.
- R.320-062018 This Resolution authorizes the release of \$100,000.00 from the Township’s Affordable Housing Development Trust Fund to New Jersey Institute for Disabilities for the provision of a group home to be used for the acquisition, due diligence, and closing costs of four (4) units of Supportive Shared Living housing (\$25,000.00 per unit).
- R.321-062018 Resolution Releasing of Cash Maintenance Bond on Site Improvements, under application #Z53-2011 for Jagpaviterjit Singh ,1914 Oak Tree Road, Edison, NJ .08820 Block: 545.T Lots: 28 & 29.
- R.322-062018 Resolution authorizing the Township to purchase one (1) new and unused Chipper with the power engine option and accessories through the Education Services Commission of New Jersey Cooperative Pricing System in the amount of \$71,166.25.
- R.323-062018 Resolution authorizing a Professional Services Contract/Purchase order to Mott Macdonald, LLC for the purpose of providing engineering services in connection with the Evergreen Pump Station Waster Water Discharge Emergency Response and Bypass Riser Pipe failure in the amount of \$5,447.50.
- R.324-062018 Resolution awarding an Emergency Contract to AME, Inc. for the Re-Piping of the Chiller Piping at the Municipal Complex in the amount of \$26,161.00.
- R.325-062018 Resolution authorizing a reimbursement for ABC Program to Rahul Tripathi in the amount of \$360.00
- R.326-062018 Awarding Contract/Purchase Order for Fireworks Display for the 4th of July Fireworks Show in the amount of \$15,000.00.

- R.327-062018 Award of Contract/Purchase Order for Holmatro Rescue and Industrial Equipment Service Program to ESI Equipment in the amount of \$2,390.00.
- R.328-062018 Resolution authorizing the Award of a Non-Fair and Open Contract for the Maintenance and support of the Proprietary Software Computer aided Dispatch (CAD) and Records Management System (RMS) used by Police and Fire Division to Queues Enforth Development, Inc. in the amount of \$46,156.00.
- R.329-062018 Award of Contract for Public No. 18-03-07 – Remanufactured Police Automatic Transmission for the Division of Police to Ditschman/Flemington Ford, Lincoln, Mercury, DFFLM, Inc. in an amount not to exceed \$25,000.00.
- R.330-062018 Award of Contract/Purchase Order for the furnishing of Ammunition for the Division of Police to Lawmen Supply Company of NJ in the amount of \$28,623.00.
- R.331-062018 Resolution Notice of Sale of Abandoned Vehicles as provided in Title R.S. 39:10-A-1.
- R.332-062018 Resolution renewing of Club Liquor License for 2018-2019 term.
- R.333-062018 Resolution renewing of Retail Distribution Liquor License for 2018-2019 term.
- R.334-062018 Resolution renewing of Retail Consumption Liquor License for 2018-2019 term.
- R.335-062018 Resolution renewing of Retail Consumption Hotel Liquor License for 2018-2019.
- R.336-062018 Resolution appointing Valeri Patel as a Member of the e Governance Board.

12. **ORAL PETITIONS AND REMARKS**

13. **ADJOURNMENT**

TOWNSHIP OF EDISON
MIDDLESEX COUNTY, NEW JERSEY

BUDGET INTRODUCTION RESOLUTION

Municipal Budget of the Township of Edison, County of Middlesex for the Year 2018.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018;

BE IT FURTHER RESOLVED that said Budget be published in the Home News Tribune, N.J. in the issue of June 16, 2018.

The governing body of the Township of Edison does hereby approve the following as the Budget for the year 2018:

General

Appropriations:

Appropriations Within 'CAPS"

Municipal	\$
Purposes	117,827,297.15

Appropriations Excluded from 'CAPS"

Municipal	
Purposes	18,497,800.64

Reserve for Uncollected Taxes - Based on
Estimated 98+ Percent of Tax Collections

1,651,645.57

Total General Appropriations

137,976,743.36

Less: Anticipated Revenues Other Than Current
Property Tax

Pr	<u>44,636,045.83</u>
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Difference: Amount to be Raised by
Taxes

for Support of Municipal
Budget:

Local Tax for Municipal Purposes Including
Reserve for Uncollected
Taxes

87,869,133.52

Municipal Library Tax

\$
5,471,564.00

Water Utility Operating Fund

Total Water Revenues

\$
89,316.19

Total Water Appropriations

\$
89,316.19

Sewer Utility Operating Fund

Total Sewer Revenues

\$
19,036,650.74

Total Sewer Appropriations

\$
19,036,650.74

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Edison, County of Middlesex, on June 13, 2018.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on July 18, 2018 at 6:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons.

ORDINANCE O.2010-2018

TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY

CALENDAR YEAR 2018

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Edison in the County of Middlesex, N.J., finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$1,130,155.14 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Edison in the County of Middlesex, N.J., a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,955,542.99 and that the CY 2018 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ORDINANCE O.2011-2018

EXPLANATION: An Ordinance amending the Township Code Chapter 36, “Subdivisions and Site Plans,” updating section 36-11.2, “Additional Design Standards,” to reflect the appropriate depository for fees collected as a result of the grant of waivers from the required installation of sidewalks, curbs and gutters.

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

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides rules, regulations and standards to guide land subdivision and site planning in the Township, pursuant to Chapter 36 of the Code; and

WHEREAS, the Township desires to amend Chapter 36-11.2 of the Code, entitled “Additional Design Standards,” to reflect the appropriate depository for fees collected as a result of the grant of waivers from the required installation of sidewalks, curbs and gutters; and

WHEREAS, subsection 36-11.2 (h) of the Code, entitled “Sidewalks, Curbs and Gutters,” requires fees collected from the grant of waivers from the requirement to construct sidewalks, curbs and gutters to be deposited “in an account dedicated and maintained for the purpose of the construction and repair of the sidewalks, curbs and gutters within the Township”; and

WHEREAS, use of such an account is inconsistent with other sections of the Code, which require such fees to be deposited in the Township’s general operating account; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend Subchapter 36-11.2(h) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

36-11.2 Additional Design Standards.

h. *Sidewalks, Curbs and Gutters.* Sidewalks, curbs and gutters shall be required along all public and private street frontages unless specifically waived by the Technical Review Committee (the "TRC") established under subsection 39-12.15. Any waiver granted shall be conditioned upon the payment by the applicant of a sum equal to the cost of installation of the sidewalks, curbs and gutters which would otherwise have been constructed. The calculation of the payment shall be based upon estimates prepared by the applicant's engineer and submitted to the Township Engineer for review and approval. The funds shall be deposited [in an account dedicated and maintained for the purpose of the construction and repair of the sidewalks, curbs and gutters within the Township] into the Township's capital expenditure account and be realized as general revenue of the Township.

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

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 36-11.2(h) of the Code, entitled "Sidewalks, Curbs and Gutters" to read as follows:

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

36-11.2 Additional Design Standards.

h. *Sidewalks, Curbs and Gutters.* Sidewalks, curbs and gutters shall be required along all public and private street frontages unless specifically waived by the Technical Review Committee (the "TRC") established under subsection 39-12.15. Any waiver granted shall be conditioned upon the payment by the applicant of a sum equal to the cost of installation of the sidewalks, curbs and gutters which would otherwise have been constructed. The calculation of the payment shall be based upon estimates prepared by the applicant's engineer and submitted to the Township Engineer for review and approval. The funds shall be deposited into the Township's capital expenditure account and be realized as general revenue of the Township.

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

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 36-11.2 of the Code shall remain unchanged and have full force and legal effect.

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

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

6. 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.2012-2018

EXPLANATION: An Ordinance amending Chapter 7 of the Township Code to update the list of zones subject to residential parking permits.

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

WHEREAS, the Township’s Code of General Ordinances (“**Code**”) currently lists the streets that constitute residential permit parking zones within the Township; and

WHEREAS, the Township has received requests for an additional street to be added as a residential parking permit zone in the Township, and the Township desires to provide for same pursuant to the requirements set forth in Chapter 7, Section 17 of the Code entitled “Residential Permit Parking”; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to update Subchapter 7-17 of the Code to identify the new residential parking zone on Tamagnini Court within the Township; and

WHEREAS, the Municipal Council has determined to amend Subchapter 7-17 (a) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

7-17 RESIDENTIAL PERMIT PARKING.

a. No person shall park a vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit as issued by the Township of Edison is displayed on said vehicle for those streets or parts of streets as described or listed within the following zones.

6. Zone #6. The following streets will constitute residential permit parking Zone #6. Only residents from Zone #6 and their visitors are eligible to park in Zone #6. Color-coded permit(s) will be issued to residents and their guests of Zone #6.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>	<u>Hours</u>	<u>Days</u>
<u>Tamagnini Court</u>	<u>Both</u>	<u>Entire Length</u>	<u>7:00 a.m.-6:00 p.m.</u>	<u>All</u>

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Subchapter 7-17 (a) of the Code to read as follows:

7-17 RESIDENTIAL PERMIT PARKING.

a. No person shall park a vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit as issued by the Township of Edison is displayed on said vehicle for those streets or parts of streets as described or listed within the following zones.

6. Zone #6. The following streets will constitute residential permit parking Zone #6. Only residents from Zone #6 and their visitors are eligible to park in Zone #6. Color-coded permit(s) will be issued to residents and their guests of Zone #6.

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>	<i>Hours</i>	<i>Days</i>
Tamagnini Court	Both	Entire Length	7:00 a.m.-6:00 p.m.	All

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 7-17 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing parking on Township streets enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

6. 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.2013-2018

EXPLANATION: An Ordinance amending the Township Code Chapter 12-27, “Noise Control,” revising sections 12-27.4, “Noise Control Officers/Administrators” and 12-27.9, “Conditions for Variance,” to clarify that applications for variances from the Township Noise Control Code shall be granted at the discretion of the Township Business Administrator.

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

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides rules, regulations and standards to regulate excessive sound in the Township, pursuant to Chapter 12-27 of the Code; and

WHEREAS, the Township desires to amend sections 12-27.4 of the Code, entitled “Noise Control Officers/Administrators” and 12-27.9 of the Code, entitled “Conditions for Variance,” to clarify that applications for variances from the Township Noise Control Code shall be granted at the discretion of the Township Business Administrator; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend sections 12-27.4 and 12-27.9 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

12-27.4 Noise Control Officers/Administrators.

a. The provisions of this section shall be enforced by the Department of Health and Human Services Director and his or her duly appointed designees.

b. The Noise Control Administrator shall have the power to:

1. Coordinate the noise control activities of all municipal departments and cooperate with all other public bodies and agencies to the extent practicable;

2. Review the actions of other municipal departments and advise such departments of the effect, if any, of such actions on noise control;

3. Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this section;

[4. Grant permits for variances according to the provisions of subsection 10-1.9, provided the variances are consistent with regulations concerning noise control promulgated by the New Jersey Department of Environmental Protection, N.J.A.C. 7:29.]

c. The Noise Control Administrator shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise which the airport owner may have the authority to control in

its capacity as proprietor. The Noise Control Administrator shall report on his or her efforts to the Governing Body.

d. A person shall be qualified to be a Noise Control Officer if the person has satisfactorily completed any of the following:

1. "Community Noise - A Short Course" offered by the Department of Environmental Science of Cook College, Rutgers, the State University; or

2. A program of tutoring and on-the-job training offered by the New Jersey Department of Environmental Protection, Office of Noise Control to its employees; or

3. Education or experience or a combination thereof certified by the above Department as equivalent to the provisions of paragraph a. or b.

e. Noise measurements made by Noise Control Officers shall be taken according to procedures specified by N.J.A.C. 7:29B, except as provided in subsection 12-27.6a.

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

12-27.9 Conditions for Variance.

a. Any person who owns or operates any stationary noise source may apply to the Business [Noise Control] Administrator for a variance from one (1) or more of the provisions of this section. Applications for a permit of variance shall supply information including, but not limited to:

1. The nature and location of the noise source for which such application is made;

2. The reason for which the permit of variance is requested, including the hardship that will result to the applicant, his or her client, or the public if the permit of variance is not granted;

3. The nature and intensity of noise that will occur during the period of the variance;

4. The section or sections for which the permit of variance shall apply;

5. A description of interim noise control measures to be taken by the applicant to minimize noise and the impacts occurring therefrom;

6. A specific schedule of the noise control measures which shall be taken to bring the source into compliance with this section within a reasonable time;

b. Failure to supply the information required by the Business [Noise Control] Administrator shall be cause for rejection of the application.

c. A copy of the permit of variance must be kept on file by the Municipal Clerk for public inspection.

d. The Business [Noise Control] Administrator may charge the applicant a fee of twenty-five (\$25.00) dollars to cover expenses resulting from the processing of the permit of variance application.

e. The Business [Noise Control] Administrator may, at his or her discretion, limit the duration of the permit of variance, which shall be no longer than one (1) year. Any person holding a permit of variance and requesting an extension of time shall apply for a new permit of variance under the provisions of this section.

f. No variance shall be approved unless the applicant presents adequate proof that: 1. noise levels occurring during the period of the variance will not constitute a danger to public health; and 2. compliance with this section would impose an arbitrary or unreasonable hardship upon the applicant without equal or greater benefits to the public.

g. In making the determination on granting a variance, the Business [Noise Control] Administrator shall consider:

1. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property which is caused or threatened to be caused;

2. The social and economic value of the activity for which the variance is sought;

3. The ability of the applicant to apply best practical noise control measures.

h. The permit of variance may be revoked by the Business [Noise Control] Administrator if the terms of the permit of variance are violated.

i. A variance may be revoked by the Business [Noise Control] Administrator if there is:

1. Violation of one (1) or more conditions of the variance;

2. Material misrepresentation of fact in the variance application; or

3. Material change in any of the circumstances relied upon by the Business [Noise Control] Administrator in granting the variance.

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

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 sections 12-27.4 of the Code, entitled “Noise Control Officers/Administrators” and 12-27.9 of the Code, entitled “Conditions for Variance,” to read as follows:

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

12-27.4 Noise Control Officers/Administrators.

a. The provisions of this section shall be enforced by the Department of Health and Human Services Director and his or her duly appointed designees.

b. The Noise Control Administrator shall have the power to:

1. Coordinate the noise control activities of all municipal departments and cooperate with all other public bodies and agencies to the extent practicable;

2. Review the actions of other municipal departments and advise such departments of the effect, if any, of such actions on noise control;

3. Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this section;

c. The Noise Control Administrator shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise which the airport owner may have the authority to control in its capacity as proprietor. The Noise Control Administrator shall report on his or her efforts to the Governing Body.

d. A person shall be qualified to be a Noise Control Officer if the person has satisfactorily completed any of the following:

1. "Community Noise - A Short Course" offered by the Department of Environmental Science of Cook College, Rutgers, the State University; or

2. A program of tutoring and on-the-job training offered by the New Jersey Department of Environmental Protection, Office of Noise Control to its employees; or

3. Education or experience or a combination thereof certified by the above Department as equivalent to the provisions of paragraph a. or b.

e. Noise measurements made by Noise Control Officers shall be taken according to procedures specified by N.J.A.C. 7:29B, except as provided in subsection 12-27.6a.

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

12-27.9 Conditions for Variance.

a. Any person who owns or operates any stationary noise source may apply to the Business Administrator for a variance from one (1) or more of the provisions of this section. Applications for a permit of variance shall supply information including, but not limited to:

1. The nature and location of the noise source for which such application is made;

2. The reason for which the permit of variance is requested, including the hardship that will result to the applicant, his or her client, or the public if the permit of variance is not granted;

3. The nature and intensity of noise that will occur during the period of the variance;

4. The section or sections for which the permit of variance shall apply;
 5. A description of interim noise control measures to be taken by the applicant to minimize noise and the impacts occurring therefrom;
 6. A specific schedule of the noise control measures which shall be taken to bring the source into compliance with this section within a reasonable time;
- b. Failure to supply the information required by the Business Administrator shall be cause for rejection of the application.
 - c. A copy of the permit of variance must be kept on file by the Municipal Clerk for public inspection.
 - d. The Business Administrator may charge the applicant a fee of twenty-five (\$25.00) dollars to cover expenses resulting from the processing of the permit of variance application.
 - e. The Business Administrator may, at his or her discretion, limit the duration of the permit of variance, which shall be no longer than one (1) year. Any person holding a permit of variance and requesting an extension of time shall apply for a new permit of variance under the provisions of this section.
 - f. No variance shall be approved unless the applicant presents adequate proof that: 1. noise levels occurring during the period of the variance will not constitute a danger to public health; and 2. compliance with this section would impose an arbitrary or unreasonable hardship upon the applicant without equal or greater benefits to the public.
 - g. In making the determination on granting a variance, the Business Administrator shall consider:
 1. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property which is caused or threatened to be caused;
 2. The social and economic value of the activity for which the variance is sought;
 3. The ability of the applicant to apply best practical noise control measures.
 - h. The permit of variance may be revoked by the Business Administrator if the terms of the permit of variance are violated.
 - i. A variance may be revoked by the Business Administrator if there is:
 1. Violation of one (1) or more conditions of the variance;
 2. Material misrepresentation of fact in the variance application; or

3. Material change in any of the circumstances relied upon by the Business Administrator in granting the variance.

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

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 12-27 of the Code shall remain unchanged and have full force and legal effect.

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

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

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

RESOLUTION R. 295-062018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 7, 2018

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 7, 2018.

FUND	AMOUNT
Current	\$36,064,573.29
Affordable Housing	3,177.25
Capital	90,591.82
Cash Performance	111,824.76
CDBG	4,317.75
Developers Escrow	132,080.89
Dog (Animal Control)	12,478.03
Federal Forfeited	0.00
Grant Funds	5,317.78
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,047,804.68
Sanitation Fund	241,157.75
Self Insurance	0.00
Sewer Utility	3,273,534.70
Tax Sale Redemption	178,205.97
Tree Fund	0.00
Tree Planting	9,710.87
Trust	378,771.09
TOTAL	\$41,553,546.63

/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.296-062018

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 **\$105,264.35**.

RESOLUTION R.297-062018

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 **\$32,814.66**.

June 13, 2018

RESOLUTION R.298-062018

TEMPORARY BUDGET 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, 2018 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2018 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	47,425.50
BUSINESS ADMINSTRATOR Other Expenses	12,504.75
PURCHASING Salary	19,955.74
PURCHASING Other Expenses	11,524.13
PURCHASING CENTRAL STORE Other Expenses	7,793.00
COMMUNICATIONS/EDISON TV Salary	9,860.43
COMMUNICATIONS/EDISON TV Other Expenses	4,642.92
PERSONNEL/HR Salary	11,270.81
PERSONNEL/HR Other Expenses	1,206.26
MAYOR Salary	1,884.62
MAYOR Other Expenses	300.00
COUNCIL Salary	6,721.96
COUNCIL Other Expenses	922.50
MUNICIPAL CLERK Salary	15,751.32
MUNICIPAL CLERK Other Expenses	16,012.50

ETHICS COMMISSION Other Expenses	456.25
FINANCE DEPARTMENT Salary	0.00
FINANCE DEPARTMENT Other Expenses	15,656.25
DISBURSEMENTS Salary	7,643.17
DISBURSEMENTS Other Expenses	600.50
PAYROLL Salary	3,633.56
PAYROLL Other Expenses	271.50
AUDIT SERVICES	9,011.00
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	23,387.40
TAX COLLECTION Other Expenses	3,771.25
TAX ASSESSMENT Salary	31,630.10
TAX ASSESSMENT Other Expenses	20,875.00
LEGAL DEPARTMENT Salary	5,416.05
LEGAL DEPARTMENT Other Expenses	92,500.00
ENGINEERING SERVICES Salary	0.00
ENGINEERING SERVICES Other Expenses	35,835.13
PLANNING BOARD Other Expenses	2,900.00
ENVIRONMENTAL COMM Other Expenses	162.50
ZONING BOARD Other Expenses	3,275.00
PLANNING & ZONING DEPT Salary	29,218.74
PLANNING & ZONING Other Expenses	12,750.00
CONSTRUCTION ENFORC AGENCY Salary	165,194.83
CONST ENF AGENCY Other Expenses	41,662.50
RENT CONTROL BOARD Salary	637.66
RENT CONTROL BOARD Other Expenses	175.00
GROUP HEALTH INSURANCE	2,779,449.62
EMPLOYEE SALARY AND WAGES(WAIVERS)	78,263.07
UNEMPLOYMENT INSURANCE EXPENSE	25,000.00

INSURANCE & SURETY Expense	977,520.80
LOSAP-Other Expenses	12,500.00
POLICE DEPARTMENT Salary	2,496,051.14
POLICE DEPARTMENT Other Expenses	116,568.75
DISPATCH 911 Salary	120,576.18
DISPATCH 911 Other Expenses	61,319.50
OFFICE OF EMRGNCY MGMT Other Expenses	1,875.00
AID TO VOL FIRE	13,750.00
AID TO VOL FIRST AID	13,125.00
FIRE FIGHTING Salary	2,354,224.38
FIRE FIGHTING Other Expenses	122,264.38
FIRE PREVENTION Salary	20,938.10
FIRE PREVENTION Other Expenses	15,187.50
FIRE HYDRANT CHARGES	193,430.00
STREETS & ROADS Salary	119,205.50
STREETS & ROADS Other Expenses	50,600.00
SOLID WASTE RECYCLING Salary	118,216.33
SOLID WASTE RECYCLING Other Expenses	7,731.25
BUILDINGS & GROUNDS Salary	109,429.69
BUILDINGS & GROUNDS Other Expenses	34,000.00
MUNICIPAL GARAGE Salary	67,995.66
MUNICIPAL GARAGE Other Expenses	11,987.50
POLICE VEHICLES Salary	25,525.87
POLICE VEHICLES Other Expenses	28,856.25
CONDO COMMUNITY COSTS	20,000.00
HEALTH Salary	180,409.11
HEALTH Other Expenses	15,862.50
SENIOR CITIZEN Salary	37,249.89

SENIOR CITIZEN Other Expenses	4,968.75
RECREATION Salary	165,724.34
RECREATION Other Expenses	72,790.75
PARKS & TREES Salary	118,586.03
PARKS & TREES Other Expenses	9,265.38
FREE PUBLIC LIBRARY Salary	295,300.19
FREE PUBLIC LIBRARY Other Expenses	196,055.50
CELEBRATION OF PUBLIC EVENTS EXPENSES	24,404.17
PUBLIC BUILDINGS HEAT,LIGHT,POWER	118,233.63
STREET LIGHTING EXPENSE	137,500.00
PUBLIC BUILDINGS TELEPHONE	31,250.00
FUEL & LUBRICANTS Other Expenses	101,980.63
CONTINGENT Expense	0.00
PERS Expense	0.00
O.A.S.I. (SOCIAL SECURITY) Expense	60,000.00
Defined Contribution Retirement Program Expenses	4,250.00
MUNICIPAL COURT Salary	50,898.72
MUNICIPAL COURT Other Expenses	6,633.75
PUBLIC DEFENDER Salary	0.00
PUBLIC DEFENDER Other Expenses	250.00
TOTAL CURRENT FUND	<u><u>12,301,644.64</u></u>

SEWER UTILITY FUND

AMOUNT

SEWER Salary	105,803.18
SEWER Other Expenses	546,287.51
SEWER Sewerage Disposal Charges	800,000.00
SEWER Public Emp Retirement Sys (PERS)	
SEWER Social Security (OASI)	18,125.00
Sewer Unemployment Insurance	
TOTAL SEWER UTILITY FUND	<hr/> <u>1,470,215.69</u> <hr/>

SANITATION FUND

AMOUNT

SANITATION Salary	104,527.71
SANITATION Other Expenses	353,935.58
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	298,605.50
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	25,000.01
SANITATION Disposal Fees	200,000.00
SANITATION Unemployment Insurance	0.00
TOTAL SANITATION FUND	<hr/> <u>982,068.80</u> <hr/>

RESOLUTION R.299-062018

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

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

TAXPAYER	PATEL, MUKESH & PARU
PROPERTY LOCATION	15 DANA CIRCLE
BLOCK / LOT / QUALIFIER	1017/5

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

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
010925-2017	2017	541,900	528,500	(13,400)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$720.38** for the years as follows:

TAX YEAR	TAX AMOUNT
2017	\$720.38

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 **\$720.38**.

June 13, 2018

RESOLUTION R.300-062018

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO VITAL COMMUNICATIONS, INC. FOR THE MAINTENANCE AND SUPPORT OF DATA PROCESSING TAX ASSESSOR SOFTWARE USED BY THE TAX ASSESSOR'S OFFICE

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the data processing tax assessor software used by the Tax Assessor's Office as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

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

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611, has submitted a proposal to provide such services for a one year term from July 1, 2018 through June 30, 2019 at a cost of \$48,000.00; and

WHEREAS, VITAL COMMUNICATIONS, INC, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit VITAL COMMUNICATIONS, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$48,000.00 cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$48,000.00, with VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. Seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.301-062018

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BOUND TREE MEDICAL, LLC
FOR THE FURNISHING OF MEDICAL SUPPLIES**

WHEREAS, bids were received by the Township of Edison on May 1, 2018 for Public Bid No. 18-06-03-Medical Supplies for the Township of Edison; and

WHEREAS, BOUND TREE MEDICAL, LLC, 5000 Tuttle Crossing, Dublin, OH 43016, submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$39,000.00 cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by BOUND TREE MEDICAL, LLC, 5000 Tuttle Crossing, Dublin, OH 43016 for Medical Supplies is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$39,000.00 and any other necessary documents, with BOUND TREE MEDICAL, LLC.

RESOLUTION R.302-062018

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO V.E. RALPH & SON, INC.
COMPANY FOR THE FURNISHING OF MEDICAL SUPPLIES**

WHEREAS, bids were received by the Township of Edison on May 1, 2018 for Public Bid No. 18-06-03-Medical Supplies for the Township of Edison; and

WHEREAS, V.E. RALPH & SON, INC., P.O. Box 633, 320 Schuyler Ave., Kearney, NJ 07032, submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$36,000.00 cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by V.E. RALPH & SON, INC., P.O. Box 633, 320 Schuyler Ave., Kearney, NJ 07032 for Medical Supplies is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$36,000.00 and any other necessary documents, with by V.E. RALPH & SON, INC.

RESOLUTION R.303-062018

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC.
FOR THE MAINTENANCE, REPAIR AND PURCHASE OF RADIO COMMUNICATION EQUIPMENT
AND SERVICES**

WHEREAS, there is a need for all Township of Edison Departments to maintain, purchase and repair radio communication equipment and services for a one year term beginning August 1, 2018 through July 31, 2019; and

WHEREAS, MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 has been awarded State Contract Number A83909 under T-0109/Radio Communication Equipment and Services; and

WHEREAS, the maintenance portion of the contract covers parts and labor. This portion of the contract is \$222,649.20; and

WHEREAS, the repairs/purchase portion of the contract covers time and materials repairs to the portable and vehicle radios that is not covered by the maintenance agreement as well any new purchases if necessary. This expense will be capped at an not to exceed amount of \$110,000.00; 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 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, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$332,649.20 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 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. 83909/T-0109.

RESOLUTION R.304-062018

RESOLUTION AWARDING CONTRACT TO VERIZON WIRELESS CELLCO PARTNERSHIP FOR THE FURNISHING OF CELLULAR PHONE SERVICES AND WIRELESS CARDS

WHEREAS, there is a need to purchase cellular phone services and wireless cards for the Township of Edison; and

WHEREAS, VERIZON WIRELESS CELLCO PARTNERSHIP, One Verizon Way, Basking Ridge, NJ 07920 has been awarded State Contract Number 82583 under T-216A/Wireless Devices and Services; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the total amount of this contract for a twelve month period, not to exceed \$150,000.00 (for cell phones and for air cards), 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)).

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/Purchase Order(s) in the amount not to exceed \$150,000.00 and any other necessary documents, with VERIZON WIRELESS CELLCO PARTNERSHIP, One Verizon Way, Basking Ridge, NJ 07920, 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. 82583 under T-216A.

RESOLUTION R.305-062018

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

WHEREAS, bids were received by the Township of Edison on March 22, 2018 for Public Bid No. 18-02-03-Supplies for Office Equipment; and

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

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$12,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by THE OFFICE PAL, P.O. Box 2, Lakewood, NJ 08701 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with THE OFFICE PAL.

RESOLUTION R.306-062018

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

WHEREAS, bids were received by the Township of Edison on March 22, 2018 for Public Bid No. 18-02-03-Supplies for Office Equipment; and

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

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$8,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by OFFICE NEEDS, 1120 Raritan Rd., Clark, NJ 07066 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$8,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with OFFICE NEEDS.

RESOLUTION R.307-062018

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

WHEREAS, bids were received by the Township of Edison on March 22, 2018 for Public Bid No. 18-02-03-Supplies for Office Equipment; and

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

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$25,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with THE TREE HOUSE, INC.

RESOLUTION R.308-062018

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

WHEREAS, bids were received by the Township of Edison on March 22, 2018 for Public Bid No. 18-02-03-Supplies for Office Equipment; and

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

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$10,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by W. B. MASON CO., INC., 21 Commerce St., Cranbury, NJ 08512 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with W. B. MASON CO., INC.

RESOLUTION R.309-062018

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

WHEREAS, bids were received by the Township of Edison on March 22, 2018 for Public Bid No. 18-02-03-Supplies for Office Equipment; and

WHEREAS, BEYOND TECHNOLOGY, 14697 E. Easter Ave. #G, Centennial, CO 80112 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$25,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by BEYOND TECHNOLOGY, 14697 E. Easter Ave. #G, Centennial, CO 80112 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with BEYOND TECHNOLOGY.

RESOLUTION R.310-062018

**RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR THE
MANAGEMENT AND ADMINISTRATION OF THE EDISON POLICE DIVISION'S OFF DUTY DETAIL
MANAGEMENT**

WHEREAS, the Local Public Contracts Law specifically N.J.S.A. 40A:11-4.1 et seq., provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and/or services; and

WHEREAS, said process allows for competition, the award being based on a methodology which includes an evaluation, ranking, and weighing of criteria as well as cost; and

WHEREAS, the township wishes to initiate competitive contracting for the management and administration of the Edison Police Division's off duty detail management pursuant to N.J.S.A. 40A:11-4.1(k) and as approved by the State of New Jersey, Department of Community Affairs; and

WHEREAS, N.J.S.A. 40A:11-4-3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 is desired to be contracted.

NOW, THEREFORE IT IS RESOLVED, by the Municipal Council of the Township of Edison that the appropriate township officials are hereby authorized to initiate competitive contracting for the aforesaid project in conformance with N.J.S.A. 40A:11-4.1 et seq.

RESOLUTION R.311-062018

EXPLANATION: A Resolution designating the property commonly known on the Township tax maps as Block 124, Lot, 20.01 (2195 Lincoln Highway Route 27) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R. 189.032018 adopted March 28, 2018, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as Block 124, Lot, 20.01 (2195 Lincoln Highway Route 27) on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non- Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on June 4, 2018, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Municipal Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

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

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain (the “**Non-Condemnation Redevelopment Area**”), pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.312-062018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Indie Bridge, LLC with respect to Block 546-NN, Lot 19 (more commonly known as 36 Meridian Road), as shown on the Township of Edison tax maps.

WHEREAS, Block 546-NN, Lot 19 (more commonly known as 36 Meridian Road), as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Township of Edison Zoning Board of Adjustment (hereinafter the "**Board**") made by Indie Bridge, LLC ("**Developer**") for use and bulk variance relief, along with preliminary and final site plan approval to construct a second floor addition for residential apartment occupancy at the Property (the "**Project**"); and

WHEREAS, the Board granted the Developer's application for approval of the Project by adoption of a resolution on January 17, 2017 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Developer's Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, 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 Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

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

RESOLUTION R.313-062018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison, NJ (49 Route 27), LLC with respect to Block 673, Lot 7 (more commonly known as 49 Lincoln Highway U.S. Route 27), as shown on the Township of Edison tax maps.

WHEREAS, Block 673, Lot 7 (more commonly known as 49 Lincoln Highway U.S. Route 27), as shown on the Township of Edison tax maps (the "**Property**") were the subject of an application before the Township of Edison Zoning Board of Adjustment (hereinafter the "**Board**") made by Edison, NJ (49 Route 27), LLC ("**Developer**") for use variance relief along with preliminary and final site plan approval to permit a restaurant with a drive-through window at the Property (the "**Project**"); and

WHEREAS, the Board granted the Developer's application for approval of the Project by adoption of a resolution on June 20, 2017 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Developer's Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, 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 Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

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

RESOLUTION R.314-062018

Explanation: This resolution provides for the refund of the of Developers Escrow Fees posted by Evan Kalambakas for the Planning Board application No –P15-2017 which was discovered the applicant did not need to go to Planning Board for a hearing.

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Evan Kalambakas a project located at 101 Us Highway One ,Edison, N.J. 08817 in Block 296, Lot 37 & 38 and Application P15-2017 ; and

WHEREAS; the applicant was required to Post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS; on March 13 ,2018 Evan Kalambakas posted fees on deposit with the Township of Edison in the account # DE180313DK for Developers Escrow Fees; and

WHEREAS; it is now in order that the sum \$ 4,000.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Evan Kalambakas; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$4000.00 plus accrued interest, if applicable be refunded to Evan Kalambakas , 101 United States Highway, Edison, NJ 08817

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 4,000.00 plus accrued interest, if applicable, in account # DE180313DK to the applicant.

RESOLUTION R.315-062018

WHEREAS, the Division of Engineering Services advises that an inspection has been made of Kilmer I , LP. Truman Drive , Edison, NJ 08817 Application #P09-2015 located in Block #3.E Lot # 3.014 ;and

WHEREAS, the applicant was required to post engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, on May 1, 2015 Kilmer I and Kilmer II , posted a check #1505101369 in the amount of \$ 62,768.98, for engineering inspection fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$ 10,204.17; and

WHEREAS, it is in now in order that the sum of \$52,564.81 which represents the amount due and owing the applicant, be returned to Kilmer I and Kilmer II ; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 52,564.18 be refunded to Kilmer I and Kilmer II having offices at 1 Parker Plaza, Fort Lee, NJ, 07024; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$ 52,564.81 in account # 7763090716 and any accrued interest to the applicant.

RESOLUTION R.316-062018

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO NEW VENTURE CONSTRUCTION FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2015 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were solicited by the Township of Edison for Case Number 0217; and

WHEREAS, NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817, submitted the sole quote in the amount of \$12,310.00 and funds in the amount of \$12,310.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-15-0510-000-001; and

WHEREAS, for the year 2017, the Township expended \$24,570.00 with NEW VENTURE CONSTRUCTION, and the current contract in the amount of \$12,310.00 will make a combined total amount of \$36,880.00 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, this Contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, prior to contract/Purchase order, NEW VENTURE CONSTRUCTION will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit NEW VENTURE CONSTRUCTION from making any reportable contributions through the term of the 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 sole quote in the amount of \$12,310.00 by NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817 for home improvements (Case #0217) has been reviewed and is determined to be acceptable.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$12,310.00 and any other necessary documents, with NEW VENTURE CONSTRUCTION.
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$12,310.00** are available for the above contract in Account No. **T-14-15-0510-000-001**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.317-062018

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO P & A CONSTRUCTION, INC.
FOR THE 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1**

WHEREAS, bids were received by the Township of Edison on June 6, 2018 for Public Bid No. 18-30-01 2018 RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and

WHEREAS, P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,063,963.25; and

WHEREAS, funds in the amount of \$700,347.00 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-16-1948-102-000 and funds in the amount of \$1,363,616.25 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-17-1988-102-000; and

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

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

1. The lowest bid, submitted by P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 for the 2018 Road Resurfacing Program Various Streets-Contract 1, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,063,963.25, and any other necessary documents, with P & A 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 for the above in the amount of \$700,347.00 are available in Account No. C-04-16-1948-102-000 and funds in the amount of \$1,363,616.25 are available in Account No. C-04-17-1988-102-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.318-062018

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO Z BROTHERS CONCRETE CONTRACTORS, INC. FOR THE 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2

WHEREAS, bids were received by the Township of Edison on June 6, 2018 for Public Bid No. 18-30-02 2018 RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$1,881,985.17; and

WHEREAS, funds in the amount of \$1,881,985.17 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-17-1988-102-000; and

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

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

1. The lowest bid, submitted by Z BROTHERS CONCRETE CONTRACTORS, INC., 304 Jernee Mill Road, Sayreville, NJ 08872 for the 2018 Road Resurfacing Program Various Streets-Contract 2, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,881,985.17, and any other necessary documents, with Z BROTHERS CONCRETE CONTRACTORS, INC. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$1,881,985.17 are available for the above contract in Account No. C-04-17-1988-102-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.319-062018

EXPLANATION: With this resolution, the Township Council approves the receipt of the FY2018 Community Development Block Grant in the final amount of \$539,568 and approves the projects and activities funded by this grant.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2018 CONSOLIDATED ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2018 Community Development Block Grant in the amount of \$539,568;

WHEREAS, the Township can budget a total of \$539,568 to fund eligible 2018 activities that are attached and listed on the Amended Proposed Summary of FY18 Annual Action Plan Allocations, that will be carried out during the 2018 Program Year;

WHEREAS, A Public Hearing was held on February 20, 2018 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2018 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for \$539,568, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY18 Annual Action Plan Allocations and listed in the 2018 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY18 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2018 Consolidated Annual Plan.

Section 6. The CDBG Coordinator shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

RESOLUTION R.320-062018

Explanation: This Resolution authorizes the release of \$100,000.00 from the Township's Affordable Housing Development Trust Fund to New Jersey Institute for Disabilities for the provision of a group home to be used for the acquisition, due diligence, and closing costs of four (4) units of Supportive Shared Living housing (\$25,000.00 per unit).

WHEREAS, the Township of Edison received formal approval from the Courts of its Spending Plan that will allow the Township to use a portion of its Affordable Housing Development Fees for four (4) units of Supportive Shared Living units at 14 Edgemount Road under contract for purchase and sponsored by New Jersey Institute for Disabilities (NJID).; and

WHEREAS, the Township Council has heretofore authorized the Mayor and Township Clerk to execute a Deed Restriction with New Jersey Institute for Disabilities (NJID) to confirm the Affordable Housing restrictions placed on the property located at 14 Edgemount Road within the Township; and

WHEREAS, the Resolution is required in order to authorize the Chief Financial Officer of the Township of Edison to release a check in the sum of \$100,000.00 to New Jersey Institute for Disabilities (NJID) (upon receipt of signed Deed Restriction) to foster the production of affordable housing within the Township of Edison.

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

1. The sum of \$100,000.00 is hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "New Jersey Institute for Disabilities (NJID)" (upon receipt of signed Deed Restriction) to foster four (4) Supportive Shared Living units at 14 Edgemount Road in the Township of Edison.

2. The Acting Chief Financial Officer of the Township of Edison is hereby authorized to forward the aforesaid check in the sum of \$100,000.00 (upon receipt of signed Deed Restriction) to:

New Jersey Institute for Disabilities (NJID)
10A Oak Drive – Roosevelt Park
Edison, NJ 08837

3. A certified copy of this Resolution, once adopted, is to be provided to the Township Attorney and the Municipal Housing Liaison for their records.

CERTIFICATION

I hereby certify that funds in the amount of \$100,000.00 are available in the Township's Affordable Housing Trust Fund in the account No. T-13-00-0000-000-006.

By: _____
Nicholas Fargo, Chief Financial Officer

RESOLUTION R.321-062018

**EXPLANATION: Resolution Releasing of Cash Maintenance Bond on Site Improvements, under application #Z53-2011 for Jagpaviterjit Singh ,1914 Oak Tree Road, Edison, NJ .08820
Block: 545.T Lots: 28 & 29**

WHEREAS, The Township Engineer advises that an inspection has been made of Jagpaviterjit Singh ,1914 Oak Tree Road , Edison, NJ in Block: 545.T and Lot: 28 & 29 Application #Z53-2011 , and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on November 2, 2015 Jagpaviterjit Singh posted a Cash Maintenance Bond check # 318 in the amount of \$ **3,700.65** of with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Cash Maintenance Bond check # 318 in the amount of \$ 3,700.75. plus any accrued interest and the principal being having offices at 1914 Oak Tree Road , Edison, N.J. 08820 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of Finance be and is hereby authorized to return the aforesaid Cash Maintenance Bond in the amount of **\$3,700.65** and any accrued to the applicant account **#7763342571**

RESOLUTION R.322-062018

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ONE (1) NEW AND UNUSED MORBARK BEEVER M18RX-SA CHIPPER WITH THE POWER ENGINE OPTION AND ACCESSORIES FROM BOBCAT OF CENTRAL JERSEY THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey hereinafter referred to as the “Lead Agency” has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, BOBCAT OF CENTRAL NEW JERSEY, 45 Route 22, Greenbrook, NJ 08812 has been awarded Contract # MRESC 15/16-08 GROUNDS EQUIPMENT under NJ State approved coop #65MCESCCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with the BOBCAT OF CENTRAL NEW JERSEY for the purchase of one (1) new and unused Morbark Beever M18RX-SA chipper with the power engine option and accessories; and

WHEREAS, the total amount of this contract shall not to exceed \$71,166.25; and

WHEREAS, funds in the amount of \$71,166.25 have been certified to be available in the Acquisition of Public Works Equipment Account, number C-04-15-1914-310-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$71,166.25, and any other necessary documents, with BOBCAT OF CENTRAL NEW JERSEY, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$71,166.25** are available for the above in Account No. **C-04-15-1914-310-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.323-062018

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT/PURCHASE ORDER TO MOTT MACDONALD LLC FOR THE PURPOSE OF PROVIDING ENGINEERING SERVICES IN CONNECTION WITH THE EVERGREEN PUMP STATION WASTEWATER DISCHARGE EMERGENCY RESPONSE AND BYPASS RISER PIPE FAILURE

WHEREAS, the Township of Edison (the "Township") issued a Request for Proposals for Engineering Services, RFP 16-06, seeking proposals from qualified individuals and firms to provide engineering services on an as-needed basis for Township projects (the "Request for Proposals"); and

WHEREAS, the Township evaluated the responses submitted by various qualified individuals and firms to the Request for Proposals in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (the "Public Contracts Law"); and

WHEREAS, the Township approved Mott Macdonald, 111 Wood Avenue, South, Iselin, NJ 08830, to provide engineering services on an as-needed basis by way of Resolution R.528-072016; and

WHEREAS, the Township of Edison had a need of professional engineering services in connection with the Evergreen Road Pump Station Wastewater Discharge Emergency Response and Bypass Riser Pipe Failure; and

WHEREAS, Mott MacDonald provided said services at a price of \$5,447.50; and

WHEREAS, funds in the amount of \$5,447.50 have been certified to be available in the Sewer Other Professional Services, Account Number 7-07-55-0501-000-028; 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:

5. The Mayor, or his designee, is hereby authorized to execute a contract in an amount not to exceed \$5,447.50 and any other necessary documents with Mott MacDonald LLC, 111 Wood Avenue South, Iselin, New Jersey 08830 for engineering services in connection with the Evergreen Road Pump Station Wastewater Discharge Emergency Response and Bypass Riser Pipe Failure as described herein.
6. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,447.50** have been certified to be available in Account Number **7-07-55-0501-000-028**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.324-062018

RESOLUTION AWARDING AN EMERGENCY CONTRACT TO A.M.E., INC FOR THE RE-PIPING OF THE CHILLER PIPING AT THE MUNICIPAL COMPLEX

WHEREAS, an emergency condition existed in which the chilled water piping needed to be replaced due to leaking; 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 \$26,161.00 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 \$26,161.00 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 \$26,161.00, 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 **\$26,161.00** are available for the above contract in Account **No. C-04-14-1872-310-001**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.325-062018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RAHUL TRIPATHI FOR THE ABC PROGRAM**

WHEREAS Rahul Tripathi made payment in the amount of \$360.00 for his child Vihaan Tripathi's participation in the ABC Program at Martin Luther King Elementary School for the months of April & May 2018; and

WHEREAS the child was removed from the program in March 2018; and

WHEREAS payment was already made for the months of April and May 2018.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$360.00 to Rahul Tripathi, 70 Wintergreen Ave., East, Edison, NJ, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$360.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.326-062018

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO GARDEN STATE FIREWORKS INCORPORATED FOR A FIREWORKS DISPLAY FOR THE 4TH OF JULY FIREWORKS SHOW

WHEREAS, quotes were solicited by the Township of Edison to provide a fireworks display for the 4th of July Fireworks Show; and

WHEREAS, GARDEN STATE FIREWORKS INCORPORATED, P.O. Box 403, Carlton Road, Millington, NJ 07946 submitted the sole quote in the amount of \$15,000.00; and

WHEREAS, for the previous twelve months, the Township expended \$15,000.00 with GARDEN STATE FIREWORKS INCORPORATED and the current contract/Purchase Order in the amount of \$15,000.00 will make a combined total amount of \$30,000.00 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, this Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, funds in the amount of \$15,000.00 have been certified to be available in the Reserve for Donations to Fall Family Spectacular, Account Number T-13-00-0000-000-014; and

WHEREAS, prior to contract/Purchase order, GARDEN STATE FIREWORKS INCORPORATED will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit GARDEN STATE FIREWORKS INCORPORATED from making any reportable contributions through the term of the 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 sole quote in the amount of \$15,000.00 by GARDEN STATE FIREWORKS INCORPORATED, P.O. Box 403, Carlton Road, Millington, NJ 07946 has been reviewed and is determined to be acceptable.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$15,000.00 and any other necessary documents, with GARDEN STATE FIREWORKS INCORPORATED as described herein.
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$15,000.00** are available, for the above contract in Account No. **T-13-00-0000-000-014**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.327-062018

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT/PURCHASE ORDER(S) TO ESI EQUIPMENT, INC. FOR A HOLMATRO RESCUE AND INDUSTRIAL EQUIPMENT SERVICE PROGRAM

WHEREAS, the Township of Edison, Division of Fire, has the need to purchase a Holmatro Rescue and Industrial Equipment Service Program Agreement for the period of July 1, 2018 to June 30, 2019; and

WHEREAS, ESI EQUIPMENT INC., 119 Keystone Drive, Montgomeryville, PA 18936 is the exclusive dealer/distributor of Holmatro and therefore a sole source for this vendor; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with ESI EQUIPMENT INC. for the one year service agreement at a total price of \$2,390.00; and

WHEREAS, funds in the amount of \$2,390.00 have been certified to be available in the Fire Fighting Other Professional Services Account, Number 8-01-25-0265-001-028; 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 a contract/purchase order(s) and any other necessary documents, in the amount of \$2,390.00, with ESI EQUIPMENT INC., 119 Keystone Drive, Montgomeryville, PA 18936 as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,390.00** are available for the above contract in Account No. 8-01-25-0265-001-028.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.328-062018

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department's 9-1-1 Communications Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, QUEUES ENFORTH DEVELOPMENT, INC., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180, has submitted a proposal to provide such services for a one year term for the period of July 1, 2018 - June 30, 2019 at a cost of \$46,146.00; and

WHEREAS, prior to entering into a contract, Queues Enforth Development, Inc., will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit Queues Enforth Development, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$46,146.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 8-01-25-0250-000-026; 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:

7. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents in the amount of \$46,146.00, with QUEUES ENFORTH DEVELOPMENT, INC., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180 as set forth above.
8. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq. and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
9. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
10. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$46,146.00** are available for the above contract in Account No. **8-01-25-0250-000-026**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.329-062018

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITSCHMAN/FLEMINGTON FORD, LINCOLN, MERCURY/DFFLM, LLC FOR THE FURNISHING OF REMANUFACTURED POLICE AUTOMATIC TRANSMISSIONS

WHEREAS, bids were received by the Township of Edison on March 2, 2018 for Public Bid No. 18-03-07-Remanufactured Police Automatic Transmissions, for the Division of Police; and

WHEREAS, DITSCHMAN/FLEMINGTON FORD, LINCOLN, MERCURY/DFFLM, LLC, 215 Route 202/31, Flemington, NJ 08822 submitted the lowest legally responsible bid; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals 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 each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$25,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by DITSCHMAN/FLEMINGTON FORD, LINCOLN, MERCURY/DFFLM, LLC, 215 Route 202/31, Flemington, NJ 08822 for Remanufactured Police Automatic Transmissions, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with DITSCHMAN/FLEMINGTON FORD, LINCOLN, MERCURY/DFFLM, LLC as described herein.

RESOLUTION R.330-062018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO LAWMEN SUPPLY COMPANY OF NJ, INC. FOR THE FURNISHING OF AMMUNITION FOR THE EDISON TOWNSHIP DIVISION OF POLICE

WHEREAS, there is a need to purchase ammunition for the Division of Police; and

WHEREAS, LAWMEN SUPPLY COMPANY OF NJ, INC., 7115 Airport Highway, Pennsauken, NJ 08109 has been awarded NJ State Contract, number 81295, under T-0106 /Police and Homeland Security Equipment and Supplies-Statewide; and

WHEREAS, funds in the amount of \$28,623.00 have been certified to be available in the Police Department Materials and Supplies Account, number 8-01-25-0240-000-030; 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 \$28,623.00, and any other necessary documents with LAWMEN SUPPLY COMPANY OF NJ, INC., 7115 Airport Highway, Pennsauken, NJ 08109, 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. 81295 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,623.00** are available in account number **8-01-25-0240-000-030**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.331-062018

Township of Edison

NOTICE OF SALE OF ABANDONED VEHICLES AS PROVIDED IN TITLE R.S. 39:10-A-1

NOTICE IS HEREBY GIVEN that on Wednesday 06/27/2018 at 11:00 A.M. the TOWNSHIP OF EDISON will hold for auction (30) vehicles. The vehicles listed below came into possession of the TOWNSHIP OF EDISON through abandonment or failure of owners to claim and have been duly processed.

For sale are the following vehicles with a Re-Sale application (NO LIEN)

Number	Make	Model	Year	VIN
15021072	Volvo	S80	2000	YV1TS94D3Y1070679
16054304	Che	Mal	2001	1G1ND52J31M589805
17024408	Acu	Mdx	2003	2HNYD18603H502281
17051845	Ford	EC1	2004	1FTRE14W44HA08672
17068708	Gmc	Env	2004	1GKDT13S142443042
17073164	Ford	F15	1995	1FTEF14N8SNA02553
18000749	Bmw	X3	2004	WBXPA934X4WA64604
18001260	Hon	Civ	2001	1HGES165X1L063570
18004692	Jeep	Cer	1994	1J4GZ58S3RC141402
18004714	Cad	Eld	1993	1G6EL1291PU061146
18008464	Hon	Civ	1995	1HGEG855XSL001776
18008534	Toy	Cam	2006	4T1BE32K26U131809
18014284	Nis	Max	1996	JN1CA21D6TM407764
18015022	Acu	Rsx	2002	JH4DC54802C030735
18016172	Nis	Mur	2015	5N1AZ2MH0FN261576
18016742	Chev	PU	2000	1GCEK14V3YE426856
18017359	Hon	Civ	2000	1HGEJ612XYL042323
18017735	Ford	Exd	2001	1FMPU16L11LA89342
18018055	Nis	Alt	2014	1N4AL3AP6EC422004
18018453	Nis	Mur	2005	JN8AZ08W55W432563
18019184	Maz	Tri	2004	4F2YZ94194KM21807
18020163	Dod	Cvn	2000	2B4GP45R7YR598062
18020573	Dod	Mag	2005	2D4FV48V45H601338
18021527	Acu	Mdx	2003	2HNYD18753H548472
18023335	Maz	Tri	2001	4F2YU08141KM17809
18027037	Chev	Mal	2002	1G1ND52J92M726179
18027161	Maz	B30	2000	4F4YR13V7YTM32916

For sale are the following vehicles with a JUNK TITLE (NO LIEN)

Number	Make	Model	Year	VIN
18017596	Bmw	X5	2003	5UXFB33573LH48553
18027469	Hon	Acc	2005	JHMCN36575C014808

For sale are the following TRACTOR and TRAILER (NO LIEN)

Number	Make	Model	Year	VIN
16053872	Fre	Tra	2006	1FUJA6CK36LX11161
17005887	Gran	1GR	2004	1GRAA06254B703944

Vehicles may be inspected at the Edison Township Municipal Impound Yard in Edison at 745 New Durham Road the day of the sale from 8:30AM-10:00AM. (Direction can be requested – please email RSzucs@edisonpd.org). Vehicles must be removed within three (3) business days after sale. Payment is due at the time of the sale. Auction will be held at the Edison Township Municipal Complex at 100 Municipal Blvd., Edison NJ, at 11:00AM in the Edison Room, 3rd floor. Vehicles may be removed from the impound lot with a tow truck or flat bed ONLY.

RESOLUTION R.332-062018

WHEREAS, applications have be made for the renewal of Club Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2018; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2017, for which the required fee \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective June 13, 2018.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-038-001	Clara Barton Post 324 Club, Inc. American Legion 156 Brower Avenue	Edison, 08837
1205-31-039-001	Columbia Club of Edison, Inc. 71 Council Place	Edison, 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison,08820

RESOLUTION R.333-062018

WHEREAS, applications have be made for the renewal of Plenary Retail Distribution Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2018 and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Retail Distribution Licenses expiring on June 30, 2018, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective June 13, 2018.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-021-005	Costco Wholesale Corporation 205 Vineyard Road	Edison, 08817
1205-44-059-002	VW and Sons, Inc. 561 U.S. Route 1	Edison, 08817
1205-44-070-001	Daryl, LLC P.O. Box 29 Woodbridge, NJ 07095	POCKET
1205-44-071-001	Daryl, LLC P.O. Box 29 Woodbridge, NJ 07095	POCKET

RESOLUTION R.334-062018

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2018; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2018 for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective June 13, 2018.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-003-010	Chestnut Inn 1905 Woodbridge Avenue	Edison, 08817
1205-33-004-005	Akaibana d/b/a Benihana of Edison	Edison, 08837
1205-33-013-010	Norstar & Company, Inc.	POCKET
1205-33-007-005	The DK Family, Inc. d/b/a The Edison Diner	Edison, 08817
1205-33-014-012	Havana Central NJ1, LLC 55 Parsonage Road	Edison, 08837
1205-33-018-004	Cheesecake Factory 100 Menlo Park	Edison, 08837
1205-33-019-010	CB Edison, LLC d/b/a Charlie Browns 222 Plainfield Road	Edison, 08820
1205-33-023-006	MAC Acquisition of New Jersey, LLC 1855 Blake St. Ste. #200	POCKET
1205-33-028-008	Savi Enterprises, LLC d/b/a Mirage Banquet Hall 1655 Oak Tree Road Ste. 180	Edison, 08820
1205-33-030-006	Zin Edison, LLC d/b/a Zinburger 1003 Route 1	Edison, 08817
1205-33-035-006	Elio's, Inc. d/b/a Ferraro's Pizza 1067 Inman Avenue	Edison, 08820

RESOLUTION R.335-062018

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses (Hotel/Motel) , issued by the Municipal Council of the Township of Edison, expiring on June 30, 2018; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on June 30, 2017 for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective June 14, 2018.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-056-003	Hersha Hospitality Management LP d/b/a Hilton Garden Inn 50 Raritan Center Pkwy.	Edison, 08837
1205-36-053-005	Restaurant Route 27 LLC d/b/a Crowne Plaza Edison	1 Edison, 08817

RESOLUTION R.336-062018

EXPLANATION: This Resolution is for the Municipal Council to appoint the following residents to serve on various committees for the Township of Edison.

WHEREAS, the Township of Edison (“**Township**”) has established local committees to serve as advisory bodies to the Municipal Council; and

WHEREAS, these committee shall be comprised of resident members to be appointed by the Municipal Council (the “**Appointments**”); and

WHEREAS, the Municipal Council desires to make the following Appointments:

e-Governance Committee:

Vallari Patel

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby makes the above Appointments to the respective committees.
3. This Resolution shall take effect immediately.