

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

August 24, 2016

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, August 24, 2016. The meeting was called to order at 7:03p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Lombardi, Patil, and Sendelsky.

Councilmember Gomez entered at 7:06pm.

Councilmember Shah entered at 7:13pm.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Township Engineer Kataryniak, Public Works Director Haines, Health Director Elliott, Police Captain Shannon, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that 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 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Sendelsky seconded by Councilmember Diehl, duly carried, the Minutes of the Worksession of March 21, 2016, and July 25, 2016, Regular Meeting of July 27, 2016 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Lombardi asked for a moment of silence for the loss of Michael DeMatoe a former Zoning Board Member and Council Member. He congratulated Mr. & Mrs. Wolke for celebrating their 37 year anniversary. He read and presented a Mayor Proclamation to the Liquid Church for their efforts and hard work at our Minnie Veal Community Center.

Councilmember Sendelsky thanked the group for all their efforts.

Councilmember Gomez added it is nice to see volunteerism, giving back to the community is priceless.

Pastor Cuyler Black, Liquid Church said he is honored. They started in March to be positive agents for change.

Council President Lombardi also reminded everyone of our September 11th Memorial service at 10:00am in Papaanni Park, which he will be Master of Ceremonies.

RESOLUTION OF RECOGNITION:

RESOLUTION R.547-082016

WHEREAS, Steven Lombardi (“**Mr. Lombardi**”) has served the Township of Edison for thirty-nine (39) years and will retire from his employment with the Township, as Township Zoning Officer; and

WHEREAS, the Township Municipal Council would like to take the opportunity to acknowledge Mr. Lombardi for his tireless and dedicated service to the Township; and

WHEREAS, before dedicating his career to the Township, Mr. Lombardi graduated from John F. Kennedy Memorial High School, Iselin New Jersey in 1967, and later, Rutgers University in 1976; and

WHEREAS, in furtherance of his collegiate studies, and in service for the Township, Mr. Lombardi brought a wealth of knowledge in addition to a sociable personality that endeared him to his co-workers and those administrators and residents of the Township to whom he served; and

WHEREAS, Mr. Lombardi, in his services as Zoning Officer, has aided numerous businesses with zoning and land use issues so that businesses could remain in the Township and remain profitable; and

WHEREAS, Mr. Lombardi's care and concern in his daily duties extended to residents of the Township to help foster an understanding of zoning and land use law; and

WHEREAS, the Municipal Council thanks Mr. Lombardi on behalf of the Township for his dedicated service to the Township, and wish Mr. Lombardi well in his retirement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison hereby acknowledges and thanks Mr. Lombardi for his tireless and dedicated service to the Township for thirty-nine (39) years.

Council President Lombardi declared the Public Hearing opened for Resolution R.547-082016.

Councilmember Sendelsky, you have been the go to guy caring professional dedicated and most importantly interested in to making Edison.

Councilmember Diehl, you have worked with eight Mayors, great longevity and the amount of work you have done over the 39 years, thank you.

Councilmember Coyle, thank you for your years of service, it will be tough to replace you due to the knowledge and history you have with this town.

Councilmember Shah, I have a lot of respect, you have been through many administrations and always helpful along with patience of a saint. Thank you for your services hopefully you will keep in touch.

Councilmember Gomez, wish you the best of luck and enjoy your retirement.

Council President Lombardi, thank you for your time, dedication and year of service to this township, you always had our townships best interest in heart. Congratulations.

Steve Lombardi, thanked everyone for their kind words.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Diehl , the Resolution was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

APPROVAL OF VOUNTEER FIREFIGHTER

Applications for membership were received by:

Raritan Engine Company #1
Timothy S. Langan

Edison Volunteer Fire Company #1
Russell N. Huff

Oak Tree Volunteer Fire Company
Jeffrey Coleman

A motion was made by Councilmember Diehl, seconded by Councilmember Sendelsky and duly carried, the above applications were approved.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on July 27, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1934-2016

BOND ORDINANCE PROVIDING FOR THE ANALYSIS OF THE WATER AND SEWER SYSTEM APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

(The above Ordinance O.1934-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1934-2016

Hearing no further comments, on a motion made by Councilmember Sendelsky seconded by Councilmember Diehl and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl , seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinance, which was introduced by Title on July 27, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1935-2016 AN ORDINANCE AMENDING THE TOWNSHIP CODE
REGARDING THE APPLICATION FEE FOR THE ENTRY
LEVEL POLICE OFFICER CANDIDATES.**

(The above Ordinance O.1935-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1935-2016

Hearing no further comments, on a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky , the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinance, which was introduced by Title on July 27, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1936-2016 THIS ORDINANCE ADOPTS THE “AMBOY AVENUE
REDEVELOPMENT PLAN” PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1
ET SEQ.**

(The above Ordinance O.1936-2016 can be found in its entirety in Ordinance Book #26.)

Council President Lombardi declared the Public Hearing opened for O.1936-2016.

Fred Wolke, 10 Peake Road, asked what the procedure is now on this plan.

Mr. Northgrave said it is up to the property owners, this gives them the option of what can be built to invest on Amboy Avenue.

John Poyner, 40 Roosevelt Blvd., asked if the public recommendations are considered in this ordinance. Also is there consideration on a Parking Authority.

Mr. Northgrave said a Parking Authority would have to be a separate action and approval by Trenton.

Irene Wall, 205 Fleet Avenue, not familiar with this plan however where are we putting children for school.

Bruce Diamond, 74 Calvert Avenue, West, asked if the current zoning is changing.

Mr. Northgrave replied no it's an overlay, they can use existing or new.

Maria Orchid, 83 Jefferson Avenue, asked how would children get to school during the construction and would there be a five year tax abatement.

Mr. Northgrave said during construction contractors cannot block sidewalks or roads. No tax abatements in this plan.

Tony Eggert, 141 Pleasant Avenue, asked where can he get a copy of the plan.

Mr. Northgrave said the plan is available at the Clerk's office.

Esther Nemitz, 162B Fay Street, a number of residents submitted their comments on the plan, were they discussed or taken into consideration.

Mr. Northgrave said any discussions were here at the Council Meeting. All residents' comments were discussed with planner and administration.

Councilmember Sendelsky explained the benefits of the plan for the growth and revitalization of Clara Barton.

Councilmember Gomez added this opens up opportunities in Clara Barton to make it better.

Council President Lombardi reiterated this plan is an envelope, once we have it can be filled with what we feel is best for the area.

Hearing no further comments, on a motion made by Councilmember Sendelsky seconded by Councilmember Diehl and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Shah, the Ordinance was adopted.

AYES - Councilmembers Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

ABSTAIN: Councilmember Coyle.

NAYS - None

NEW BUSINESS:

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR SEPTEMBER 14, 2016.

The following Ordinances were introduced by title:

O.1937-2016

ORDINANCE AMENDING CHAPTER XI, GENERAL LICENSING AND BUSINESS REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EDISON AS AMENDED AND SUPPLEMENTED BY ADDING NEW SECTION 33, TO REGULATE TRANSPORTATION NETWORK COMPANIES, TRANSPORTATION NETWORK COMPANY DRIVERS AND TRANSPORTATION NETWORK COMPANY VEHICLES.

On a motion made by Councilmember Diehl, seconded by Councilmember Shah, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1938-2016 **ORDINANCE AMENDING THE TOWNSHIP CODE TO MAINTAIN UNIFORMITY REGARDING THE GRANT OF WAIVERS REGARDING SIDEWALK INSTALLATION AND THE GENERAL POWERS OF THE TOWNSHIP PLANNING BOARD AND TOWNSHIP ZONING BOARD OF ADJUSTMENT.**

On a motion made by Councilmember Sendelsky, seconded by Councilmember Diehl, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1939-2016 **ORDINANCE AMENDING CHAPTER 37 OF THE TOWNSHIP OF EDISON CODE OF GENERAL ORDINANCES TO AMEND THE G-B GENERAL BUSINESS DISTRICT TO INCLUDE A CONVENIENCE STORE WITH FUEL STATION AS A PERMITTED USE.**

On a motion made by Councilmember Shah, seconded by Councilmember Sendelsky, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

Mr. Northgrave said the Public Hearing will not be on September 14, 2016 due to planning board must meet before the public hearing on this ordinance.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1940-2016 **ORDINANCE AMENDING THE TOWNSHIP CODE TO MAINTAIN UNIFORMITY REGARDING THE DRUG-FREE SCHOOL ZONE MAP AND THE TOWNSHIP'S NEED TO PROVIDE A REPRODUCIBLE COPY OF SAME TO THE MIDDLESEX COUNTY PROSECUTOR'S OFFICE.**

On a motion made by Councilmember Diehl, seconded by Councilmember Shah, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1941-2016 ORDINANCE AMENDING THE TOWNSHIP CODE TO INCORPORATE CHANGES RESULTING FROM CHANGES MADE TO THE TOWNSHIP'S AFFORDABLE HOUSING ORDINANCE REGARDING INCLUSIONARY ZONING AND AFFORDABLE HOUSING SET ASIDE REQUIREMENTS.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Shah, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1942-2016 ORDINANCE AMENDING AND REPLACING CHAPTER 30 "AFFORDABLE HOUSING" OF THE TOWNSHIP OF EDISON CODE OF GENERAL ORDINANCES TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROL ("UHAC") REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS.

On a motion made by Councilmember Gomez ,seconded by Councilmember Shah , this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

The following Ordinances were introduced by title:

O.1943-2016 ORDINANCE AMENDING THE TOWNSHIP CODE, CHAPTER 15, PROPERTY MAINTENANCE, BY ADDITIONAL DEFINITIONS OF TERMS AND PENALTIES, AND A NEW SECTION 15-3 ENTITLED "VACANT AND ABANDONED PROPERTIES," PROVIDING FOR REGISTRATION OF VACANT AND ABANDONED PROPERTIES BY OWNERS AND/OR CREDITORS.

On a motion made by Councilmember Shah, seconded by Councilmember Sendelsky , this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 14, 2016.

AYES - Councilmembers Coyle, Diehl, Gomez, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.548-082016 through R.621-082016

Walter Schmeer, Park Way, Resolution R.579- 082016, how many acres are on this site and will they be putting houses there.

Mr. Northgrave said he doesn't know how many acres, but it is for the entire property and it is for a Car Dealership not housing.

Mr. Schneer, Resolution R.593-082016 bond

Mr. Kataryniak explained it is a return of a bond, since the work has been completed.

Irene Wall, 205 fleet Avenue , Resolution R.576-082016 she thanked our engineer for a good job. Resolutions R.591-082016 and R.592-082016 please explain.

Mr. Kataryniak explained the procedure on releasing of bonds.

Esther Nemitz,162B Fay Street, Resolution R.583-082016, please explain.

Mr. Northgrave said the procedures is referring to the Planning Board .

Maryann Hennessey,20 Carmello Drive asked the engineer if the affordable housing is it the same. Resolutions R.616-082016, R.617-082016 and R.618-082016, thanked the Council for filling the Zoning Board positions. Resolution R.579-082016 will the light be changing.

Mr. Northgrave replied the state is involved with the light.

Lois Wolke, 10 Peake Road, asked who will be making up the list of abandon properties and are we really going to enforce.

Mr. Elliott explained the system he has in place.

Council President Lombardi said this is the tool to enforce.

John Poyner, 40 Roosevelt Blvd., Resolution R.613 -082016 is there a policy that will be in place to follow.

Police Captain Shannon, there are policies in place and this is for two years. The policies are mandated by the Attorney General Guidelines.

Councilmember Shah asked if everything from the Body Cam is subject to OPRA.

Mr. Northgrave said most would be subject to OPRA, but some must be approved by Prosecutor.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Gomez seconded by Councilmember Sendelsky and duly carried, the public hearing was closed.

The following Resolutions R.548-082016 through R.621-082016 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Shah.

RESOLUTION R.548-082016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING AUGUST 18, 2016.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through August 18, 2016.

| FUND | AMOUNT |
|----------------------|-----------------|
| Current | \$35,414,828.93 |
| Affordable Housing | 43,412.67 |
| Capital | 1,413,213.24 |
| Cash Performance | 0.00 |
| CDBG | 27,847.95 |
| Developers Escrow | 28,411.77 |
| Dog (Animal Control) | 1,373.67 |
| Federal Forfeited | 700.00 |

| | |
|---------------------|------------------------|
| Grant Funds | 6,474.56 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |
| Park Improvements | 0.00 |
| Payroll Deduction | 1,067,156.69 |
| Sanitation Fund | 554,912.68 |
| Sewer Utility | 130,294.23 |
| Tax Sale Redemption | 275,506.31 |
| Tree Fund | 0.00 |
| Tree Planting | 0.00 |
| Trust | 167,087.68 |
| TOTAL | \$39,131,330.38 |

/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.549-082016

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 **\$307,682.15**.

RESOLUTION R.550-082016

Authorizing the refund of sewer charge overpayments to certain property owners in the Township

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2016**; and

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

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

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

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

| | |
|------------------------|---------------------|
| Property Owner | THOMAS MC CLOSKEY |
| Property Location: | 4004 CRICKET CIRCLE |
| Block/Lot/Qualifier | 427 / 26 / C4004 |
| Sewer Account: | 10381-0 |
| Amount to be Refunded: | \$ 40.28 |
| GRAND TOTAL: | \$ 40.28 |

3. This Resolution shall take effect immediately.

RESOLUTION R.551-082016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO METRO IMAGING SERVICES, INC. FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on August 2, 2016 for Public Bid No. 16-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, METRO IMAGING SERVICES, INC., 10 Merry Lane, East Hanover, NJ 07936 submitted the lowest, legally responsible, responsive bid for line items-61 & 62 of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,500.00, 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 METRO IMAGING SERVICES, INC., 10 Merry Lane, East Hanover, NJ 07936 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest, legally responsible, responsive bid for line items-61 & 62 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 \$1,500.00 any other necessary documents, with METRO IMAGING SERVICES, INC. as described herein.

RESOLUTION R.552-082016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITTO COPY SYSTEMS FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on August 2, 2016 for Public Bid No. 16-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 submitted the lowest, legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, 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 DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest, legally responsible, responsive bid for various items of the bid as listed on the spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 any other necessary documents, with DITTO COPY SYSTEMS as described herein.

RESOLUTION R.553-082016

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON GP, INC. /
JOHNSTON COMMUNICATIONS FOR DATA CABLING REPAIRS AND
ACCESSORIES/SUPPLIES FOR THE TOWNSHIP PHONE SYSTEM**

WHEREAS, the Township of Edison is in need of data cabling repairs and accessories/supplies for the Township phone system; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031 has been awarded State Contract Number 88766 under T-2989/Communications Wiring 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, not to exceed \$10,000.00, cannot be encumbered at this time; and

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

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

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

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 \$10,000.00 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 88766/T-2989.

RESOLUTION R.554-082016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF VARIOUS COMPUTER EQUIPMENT AND SUPPLIES

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 Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484 has been awarded Contract MRESC 15/16-11 (Technology Supplies & Services) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with CDW GOVERNMENT INCORPORATED for the purchase of various computer equipment and supplies; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$35,000.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.555-082016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EDWARDS TIRE COMPANY INCORPORATED FOR BRIDGESTONE/FIRESTONE TIRES AND TUBES

WHEREAS, there is a need to purchase Bridgestone/Firestone Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82528 under M-8000/Tires, Tubes 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, not to exceed \$50,000.00, cannot be encumbered at this time; and

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

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of

available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$50,000.00 and any other necessary documents, with EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 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. 82528/M-8000.

RESOLUTION R.556-082016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EDWARDS TIRE COMPANY INCORPORATED FOR GOODYEAR TIRES AND TUBES

WHEREAS, there is a need to purchase Goodyear Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82527 under M-8000/Tires, Tubes and Services; and

WHEREAS, the total amount of this contract, not to exceed \$100,000.00, cannot be encumbered at this time; and

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

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$100,000.00 and any other necessary documents, with EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 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. 82527/M-8000.

RESOLUTION R.564-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FINGERS RADIATOR HOSPITAL INCORPORATED FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, FINGERS RADIATOR HOSPITAL INCORPORATED, 2006 Route 1, North Brunswick, NJ 08902, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by FINGERS RADIATOR HOSPITAL INCORPORATED, 2006 Route 1, North Brunswick, NJ 08902 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00, and any other necessary documents, with FINGERS RADIATOR HOSPITAL INCORPORATED.

RESOLUTION R.563-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO NATIONAL PARTS SUPPLY CO. FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, NATIONAL PARTS SUPPLY CO., 535 Milltown Rd., North Brunswick, NJ 08902, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, 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 NATIONAL PARTS SUPPLY CO., 535 Milltown Rd., North Brunswick, NJ 08902 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00, and any other necessary documents, with NATIONAL PARTS SUPPLY CO.

RESOLUTION R.561-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CAMPBELL FREIGHTLINER, LLC FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, 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 CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00, and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC.

RESOLUTION R.560-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO AIR BRAKE AND EQUIPMENT FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$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 AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00, and any other necessary documents, with AIR BRAKE AND EQUIPMENT.

RESOLUTION R.565-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BEYER FORD FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, BEYER FORD, 170 Ridgedale Ave., Morristown, NJ 07960, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$3,000.00, 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 BEYER FORD, 170 Ridgedale Ave., Morristown, NJ 07960 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$3,000.00, and any other necessary documents, with BEYER FORD.

RESOLUTION R.562-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHAPMAN FORD SALES FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, CHAPMAN FORD SALES, 6744 Black Horse Pike, Egg Harbor Township, NJ 08234, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

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

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of

availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein 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 CHAPMAN FORD SALES, 6744 Black Horse Pike, Egg Harbor Township, NJ 08234 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, and any other necessary documents, with CHAPMAN FORD SALES.

RESOLUTION R.557-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO GENUINE PARTS COMPANY FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, GENUINE PARTS COMPANY, 1770 New Durham Rd., South Plainfield, NJ 07080, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, 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 GENUINE PARTS COMPANY, 1770 New Durham Rd., South Plainfield, NJ 07080 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$35,000.00, and any other necessary documents, with GENUINE PARTS COMPANY.

RESOLUTION R.558-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO LINDEN BC, INC. FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, LINDEN BC, INC., 300 East Elizabeth Ave., Linden, NJ 07036, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein 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 LINDEN BC, INC., 300 East Elizabeth Ave., Linden, NJ 07036 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, and any other necessary documents, with LINDEN BC, INC.

RESOLUTION R.559-082016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE RADIATOR STORE FOR THE FURNISHING OF AUTOMOTIVE PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on May 17, 2016 for Public Bid No. 16-03-10 Automotive Parts and Accessories; and

WHEREAS, THE RADIATOR STORE, 136 Route 46 East, Lodi, NJ 07611, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by THE RADIATOR STORE, 136 Route 46 East, Lodi, NJ 07611 for Automotive Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00, and any other necessary documents, with THE RADIATOR STORE.

RESOLUTION R.566-082016

RESOLUTION AWARDING A CONTRACT TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY

MRESC) COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF GPS REAL TIME TRACKING SYSTEMS FOR TOWNSHIP VEHICLES

WHEREAS, the Township of Edison wishes to purchase GPS Real Time Tracking Systems for the Township’s Public Works, Engineering, Code Enforcement and Health Department Vehicles; and

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 Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484 has been awarded Contract MRESC 15/16-11 (Technology Supplies & Services) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a two year contract with CDW GOVERNMENT INCORPORATED for the purchase of GPS Real Time Tracking Systems for the Township’s Public Works, Engineering, Code Enforcement and Health Department Vehicles in an amount not to exceed \$150,000.00 under Contract MRESC 15/16-11; and

WHEREAS, funds in the amount of \$150,000.00 have been certified to be available as follows:
Streets & Roads – Other Contractual Items - 6-01-26-0290-000-029 - \$10,000.00
Buildings & Grounds – Other Contractual Items - 6-01-26-0310-000-029 - \$10,000.00
Municipal Garage – Maint. Other Equip. - 6-01-26-0315-001-026 - \$10,000.00
Sewer – Cap Imp Project – 6-07-55-0501-000-117 - \$60,000.00
Sanitation – Operating – Supplies – Spec - 6-09-55-0800-001-211 - \$60,000.00

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount not to exceed \$150,000.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$150,000.00** are available as follows:

6-01-26-0290-000-029 - \$10,000.00
6-01-26-0310-000-029 - \$10,000.00
6-01-26-0315-001-026 - \$10,000.00
6-07-55-0501-000-117 - \$60,000.00
6-09-55-0800-001-211 - \$60,000.00

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.567-082016

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year ending December 31, 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

WHEREAS, the Members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, hereby states that is has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION R.568-082016

RESOLUTION RECEIVING CORRECTIVE ACTION PLAN FOR THE TOWNSHIP OF EDISON AUDIT FOR THE YEAR ENDING ON DECEMBER 31. 2015

WHEREAS, in accordance with OMB Circular A-133, 98-07, and Local Finance Notice CFO 97-16, all government units must prepare and submit a Corrective Action Plan as part of the annual audit process; and,

WHEREAS, the Corrective Action Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and,

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and,

WHEREAS, the Corrective Action Plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services .

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Edison Township that it has received the Corrective Action Plan for the report of Audit for the year ended December 31, 2015.

RESOLUTION R.569-082016

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by St. George Park Associates for tax years 2011.

WHEREAS, St. George Park Associates, (the "Taxpayer"), the owner of property located at 3 & 5 Kellogg Court in Edison Township, County of Middlesex, and known as Block 22.A, Lot 2.06 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2011 with the Tax Court of New Jersey, Docket Number 001463-2011; and

WHEREAS, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

WHEREAS, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

WHEREAS, the property was originally assessed as follows:

| | |
|--------------|----------------|
| Land | \$ 668,200.00 |
| Improvements | \$1,040,000.00 |
| Total | \$1,708,200.00 |

WHEREAS, the proposed settlement provides for an assessment of the years 2011 as follows:

| | |
|--------------|----------------|
| Year | 2011 |
| Land | \$ 668,200.00 |
| Improvements | \$ 840,000.00 |
| Total | \$1,508,200.00 |

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment interest; and

WHEREAS, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to “McCarter & English, LLP., Attorney Trust Fund” and the taxpayer and forwarded to “Frank E. Ferruggia, Esq. of McCarter & English, LLP., Four Gateway Center, 100 Mulberry Street, Newark, NJ 07102” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction;

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

| |
|------------|
| 2011 |
| \$9,360.00 |

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

1. For the 2011 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

| | |
|--------------|----------------|
| Year | 2011 |
| Land | \$ 668,200.00 |
| Improvements | \$ 840,000.00 |
| Total | \$1,508,200.00 |

2. Interest is waived on the refunds, provided such refunds are provided as specified herein; and

3. The Tax Appeal Attorney for the Township, is hereby authorized to execute a Stipulation of Settlement relative to the property tax appeals filed for the years 2011, Docket Number 001463-2011, by the taxpayer, owning the property located at 3 & 5 Kellogg Court in Edison Township, known as Block 22.A, Lot 2.06;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The form of Stipulation of Settlement is annexed hereto, having been reviewed by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE, BE IT RESOLVED, that upon the receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.571-082016

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Edison Square LTD for the tax years 2011, 2012, 2013 and 2014.

WHEREAS, Edison Square LTD (“Taxpayer”), the owner of property located at 90 Municipal Boulevard, in the Township of Edison, County of Middlesex, and known as Block 123, Lot 11.01 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2011, 2012, 2013 and 2014 with the Tax Court of New Jersey under Docket Numbers 004016-2011, 001145-2012, 007234-2013, and 005779-2014; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and
WHEREAS, the property was originally assessed as follows:
 For the Tax Years: 2011, 2012, 2013 and 2014:

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | |
|--------------|----------------|----------------|----------------|-----------|
| <u>2014</u> | | | | |
| Land | \$497,000.00 | \$497,000.00 | \$497,000.00 | |
| \$497,000.00 | | | | |
| Improvements | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$</u> |
| <u>0.00</u> | | | | |
| Total | \$497,000.00 | \$497,000.00 | \$497,000.00 | |
| \$497,000.00 | | | | |

WHEREAS, the proposed settlement provides for an assessment of the 2011, 2012, 2013, and 2014 Tax Years as follows:

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | |
|--------------|----------------|----------------|----------------|-----------|
| <u>2014</u> | | | | |
| Land | \$320,000.00 | \$320,000.00 | \$320,000.00 | |
| \$320,000.00 | | | | |
| Improvements | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$</u> |
| <u>0.00</u> | | | | |
| Total | \$320,000.00 | \$320,000.00 | \$320,000.00 | |
| \$320,000.00 | | | | |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Zipp, Tannenbaum and Caccavelli, Attorney Trust Fund” and the Taxpayer and forwarded to “Peter J. Zipp, Zipp, Tannenbaum and Caccavelli, 280 Raritan Center Parkway, Edison, New Jersey 08837” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and **WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$8,283.60** for the 2011 Tax Year Appeal, **\$8,370.33** for the 2012 Tax Year Appeal, **\$8,453.52** for the 2013 Tax Year Appeal, and **\$8,719.02** for the 2014 Tax Year Appeal.

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

1. For the 2011, 2012, 2013 and 2014 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | |
|--------------|----------------|----------------|----------------|-----------|
| <u>2014</u> | | | | |
| Land | \$320,000.00 | \$320,000.00 | \$320,000.00 | |
| \$320,000.00 | | | | |
| Improvements | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$ 0.00</u> | <u>\$</u> |
| <u>0.00</u> | | | | |
| Total | \$320,000.00 | \$320,000.00 | \$320,000.00 | |
| \$320,000.00 | | | | |

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2011, 2012, 2013 and 2014 Docket Numbers 004016-2011, 001145-2012, 007234-2013 and 005779-2014 by the Taxpayer, owner of the property located at 90 Municipal Boulevard , Block 123, Lot 11.01;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.573-082016

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by J & M Self Storage for the tax years 2012, 2013, 2014, 2015 and 2016.

WHEREAS, J & M Self Storage (“Taxpayer”), the owner of property located at 1939 Oak Tree Road, in the Township of Edison, County of Middlesex, and known as Block 557.EE, Lot 3.11 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2012, 2013, 2014, 2015 and 2016 with the Tax Court of New Jersey under Docket Numbers 002824-2012, 005964-2013, 006792-2014, 007435-2015 and 007435-2016; and

the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

For the Tax Years: 2012, 2013, 2014, 2015 and 2016,

| | <u>2012</u> | <u>2013</u> | <u>2014</u> | |
|-------------|---------------|---------------|---------------|----|
| <u>2015</u> | | | | |
| Land | \$ 692,000.00 | \$ 692,000.00 | \$ 692,000.00 | \$ |
| 692,000.00 | | | | |

| | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|
| Improvements | <u>\$1,908,000.00</u> | <u>\$1,908,000.00</u> | <u>\$1,908,000.00</u> |
| <u>\$1,908,000.00</u> | | | |
| Total | \$2,600,000.00 | \$2,600,000.00 | \$2,600,000.00 |
| \$2,600,000.00 | | | |

2016

| | |
|--------------|-----------------------|
| Land | \$ 692,000.00 |
| Improvements | <u>\$1,908,000.00</u> |
| Total: | \$2,600,000.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2012, 2013, 2014, 2015, and 2016 Tax Years as follows:

| | <u>2012</u> | <u>2013</u> | <u>2014</u> | |
|-----------------------|-----------------------|-----------------------|-----------------------|----|
| <u>2015</u> | | | | |
| Land | \$ 692,000.00 | \$ 692,000.00 | \$ 692,000.00 | \$ |
| 692,000.00 | | | | |
| Improvements | <u>\$1,908,000.00</u> | <u>\$1,908,000.00</u> | <u>\$1,708,000.00</u> | |
| <u>\$1,708,000.00</u> | | | | |
| Total | \$2,600,000.00 | \$2,600,000.00 | \$2,400,000.00 | |
| \$2,400,000.00 | | | | |

2016

| | |
|--------------|----------------|
| Land | \$ 692,000.00 |
| Improvements | \$1,308,000.00 |
| Total: | \$2,000,000.00 |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the "Lasser Hochman, Attorney Trust Fund" and the Taxpayer and forwarded to "Michael J. Donnelly, Esq., Lasser Hochman, 75 Eisenhower Parkway, Suite 120, Roseland, New Jersey 07068" within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer's request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$9,452.00** for the 2014 Tax Year Appeal, **\$9,728.00** for the 2015 Tax Year Appeal, and **\$30,336.00** for the 2016 Tax Year Appeal.

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

1. For the 2012, 2013, 2014, 2015 and 2016 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> |
|-----------------------|-----------------------|-----------------------|-----------------------|-------------|
| Land | \$ 692,000.00 | \$ 692,000.00 | \$ 692,000.00 | \$ |
| 692,000.00 | | | | |
| Improvements | <u>\$1,908,000.00</u> | <u>\$1,908,000.00</u> | <u>\$1,708,000.00</u> | |
| <u>\$1,708,000.00</u> | | | | |
| Total | \$2,600,000.00 | \$2,600,000.00 | \$2,400,000.00 | |
| \$2,400,000.00 | | | | |

2016

| | |
|--------------|-----------------------|
| Land | \$ 692,000.00 |
| Improvements | <u>\$1,308,000.00</u> |
| Total: | \$2,000,000.00 |

2. Interest is waived on the refund, provided such refund is provided as specified herein; and

3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2012, 2013, 2014, 2015 and 2016 Docket Numbers 002824-2012, 005964-2013, 006792-2014, 007435-2015 and 007435-2016 by the Taxpayer, owner of the property located at 1939 Oak Tree Road, Block 557.EE, Lot 3.11;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.574-082016

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Verizon New Jersey for the tax years 2016.

WHEREAS, Verizon New Jersey (“Taxpayer”), the owner of property located at 1879 Lincoln Highway Route 27, in the Township of Edison, County of Middlesex, and known as Block 104.N, Lot 23 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeal for the year 2016 with the Tax Court of New Jersey under Docket Number 009762-2016,

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and **WHEREAS**, the property was originally assessed as follows:

For the Tax Years: 2016:

| | | |
|--------------|-------------|----------------------|
| | <u>2016</u> | |
| Land | | \$ 702,000.00 |
| Improvements | | <u>\$ 298,000.00</u> |
| Total | | \$1,000,000.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2016 Tax Year as follows:

| | | |
|--------------|-------------|---------------------|
| | <u>2016</u> | |
| Land | | \$502,000.00 |
| Improvements | | <u>\$ 98,000.00</u> |
| Total | | \$600,000.00 |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Verizon New Jersey, Inc.” and forwarded to “Kevin H. Giordano, Assistant General Counsel, Verizon New Jersey, One Verizon Way, Basking Ridge, New Jersey 07920 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$ 21,104.00** for the 2016 Tax Year Appeal.

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

1. For the 2016 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | <u>2016</u> |
|--------------|---------------------|
| Land | \$502,000.00 |
| Improvements | <u>\$ 98,000.00</u> |
| Total | \$600,000.00 |

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the year 2016, Docket Number 009762-2016 and the Taxpayer, owner of the property located at 1879 Lincoln Highway Route 27 , Block 104.N, Lot 23;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.572-082016

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Somogyi Associates, LP, LLC for the tax years 2015 and 2016.

WHEREAS, Somogyi Associates, LP, LLC (“Taxpayer”), the owner of property located at 100 New Durham Road, in the Township of Edison, County of Middlesex, and known as Block 55, Lot 10 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015 and 2016 with the Tax Court of New Jersey under Docket Numbers 006824-2015 and 005145-2016; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

| | For the Tax Years: 2015 and 2016 | |
|--------------|----------------------------------|----------------|
| | <u>2015</u> | <u>2016</u> |
| Land | \$ 440,000.00 | \$ 440,000.00 |
| Improvements | \$3,312,000.00 | \$3,312,000.00 |
| Total | \$3,752,000.00 | \$3,752,000.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2015 and 2016 Tax Years as follows:

| | <u>2015</u> | <u>2016</u> |
|--------------|----------------|----------------|
| Land | \$ 440,000.00 | \$ 440,000.00 |
| Improvements | \$1,560,000.00 | \$1,362,800.00 |
| Total | \$2,000,000.00 | \$1,802,800.00 |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Glen-David Schwarzschild, Esq., Attorney Trust Fund” and the Taxpayer and

forwarded to “Glen-David Schwarzschild, Esq. 1050 North Kings Highway, Suite 102, Cherry Hill, New Jersey 08034” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$88,896.48** for the 2015 Tax Year Appeal, **\$102,839.79** for the 2016 Tax Year Appeal. The 2013 Appeal filed under docket number 008808-2013 and 2014 Appeal filed under docket number 004305-2014 will be withdrawn.

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

1. For the 2015 and 2016 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:
- 2 .

| | 2015 | 2016 |
|--------------|----------------|----------------|
| Land | \$ 440,000.00 | \$ 440,000.00 |
| Improvements | \$1,560,000.00 | \$1,362,800.00 |
| Total | \$2,000,000.00 | \$1,802,800.00 |

3. Interest is waived on the refund, provided such refund is provided as specified herein; and
4. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2013, 2014, 2015 and 2016, Docket Numbers 008808-2013, 004305-2014, 006824-2015 and 005145-2016 by the Taxpayer, owner of the property located at 100 New Durham Road , Block 55, Lot 10;
5. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
- 6 . The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.570-082016

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Adan Associates for the tax years 2014 and 2015.

WHEREAS, Adan Associates (“Taxpayer”), the owner of property located at 17 Progress Street, in the Township of Edison, County of Middlesex, and known as Block 412.A, Lot 9 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2014 and 2015 with the Tax Court of New Jersey under Docket Numbers 012085-2014 and 010647-2015,

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:
For the Tax Years: 2014 and 2015:

| | <u>2014</u> | <u>2015</u> |
|--------------|---------------------|---------------------|
| Land | \$182,400.00 | \$182,400.00 |
| Improvements | <u>\$517,600.00</u> | <u>\$517,600.00</u> |
| Total | \$700,000.00 | \$700,000.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2014 and 2015 Tax Years as follows:

| <u>2014</u> | <u>2015</u> |
|-------------|-------------|
|-------------|-------------|

| | | |
|--------------|---------------------|---------------------|
| Land | \$182,400.00 | \$182,400.00 |
| Improvements | <u>\$392,600.00</u> | <u>\$392,600.00</u> |
| Total | \$575,000.00 | \$575,000.00 |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Kates Nussman Rapone Ellis & Farhi, LLP, Attorney Trust Fund” and the Taxpayer and forwarded to “Joel M. Ellis, Esq. , Kates, Nussman, Rapone, Ellis & Farhi, LLP, 190 Moore Street, Suite 306, Hackensack, New Jersey 07601” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$5,907.50 for the 2014 Tax Year Appeal, and \$6,080.00 for the 2015 Tax Year Appeal.

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

1. For the 2014 and 2015 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | <u>2014</u> | <u>2015</u> | |
|--------------|---------------------|---------------------|---------------------|
| Land | \$182,400.00 | \$182,400.00 | \$182,400.00 |
| Improvements | <u>\$392,600.00</u> | <u>\$392,600.00</u> | <u>\$392,600.00</u> |
| Total | \$575,000.00 | \$575,000.00 | \$575,000.00 |

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2014 and 2015, Docket Numbers 012085-2014 and 010647-2015 by the Taxpayer, owner of the property located at 17 Progress Street , Block 412.A, Lot 9;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.575-082016

**FORM OF RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATION
PER NJSA 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$204,693.47 from State of New Jersey and wishes to amend its CY 2016 budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government

Services to approve the insertion of an item of revenue in the Current Fund Budget for the CY 2016 in the amount of \$204,693.47 which is now available as a revenue under:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

2016 Clean Communities Grant.....\$204,693.47

BE IT FURTHER RESOLVED that a like sum of \$204,693.47 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations excluded from "CAPS": Public & Private Programs Off-Set by Revenues:

2016 Clean Communities Grant.....\$204,693.47

BE IT FURTHER RESOLVED, that the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services.

RESOLUTION R.576-082016

**FORM OF RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATION
PER NJSA 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$202,500.00 from New Jersey Department of Transportation and wishes to amend its CY 2016 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget for the CY 2016 in the amount of \$202,500.00 which is now available as a revenue under:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

State Aid Highway Projects Talmadge Rd Resurfacing Phase II..... **\$ 202,500.00**

BE IT FURTHER RESOLVED that a like sum of \$202,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

State Aid Highway Projects Talmadge Rd Resurfacing Phase II..... **\$ 202,500.00**

BE IT FURTHER RESOLVED, that the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services.

RESOLUTION R.577-082016

**RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO
ROHRER ENTERPRISES INC. D/B/A ROHRER BUS SALES FOR THE PURCHASE OF ONE (1)
AMBULATORY PASSENGER VAN FOR THE DEPARTMENT OF HEALTH**

WHEREAS, bids were received by the Township of Edison on April 15, 2016 for Public Bid No. 16-03-17 AMBULATORY PASSENGER VAN for the Department of Health; and

WHEREAS, ROHRER ENTERPRISES INC. D/B/A ROHRER BUS SALES, 314 Dickinson Street, Trenton, NJ 08638 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$75,084.00; and

WHEREAS, funds in the amount of \$75,000.00 have been certified to be available in the Acquisition of Senior Citizen Bus Account, number C-04-14-1872-330-001 and funds in the amount of \$84.00 have been certified to be available in the Seniors Motor Vehicle Parts & Accessories Account, number 6-01-27-0330-002-034; 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 Rohrer Enterprises Inc. D/B/A Rohrer Bus Sales, 314 Dickinson Street, Trenton, NJ 08638 for an ambulatory passenger van 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 \$75,084.00, and any other necessary documents, with Rohrer Enterprises Inc. D/B/A Rohrer Bus Sales as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$75,000.00** are available for the above contract in Account No. **C-04-14-1872-330-001** and funds in the amount of **\$84.00** is available in Account No. **6-01-27-0330-002-034**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.578-082016

EXPLANATION: A Resolution referring the 225 Raritan Center Parkway Redevelopment Plan for 225 Raritan Center Parkway (Block 390.DD, Lot 8.B) in the Township, to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

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

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the "Township Council") of the Township of Edison (the "Township"), by way of Resolution 810-122015, adopted December 9, 2015, authorized and directed the planning board of the Township (the "Planning Board") to conduct a preliminary investigation of the property identified as 225 Raritan Center, and more commonly known as Block 390.DD, Lot 8.B on the Township's tax maps (the "Study Area"), and to determine that the Study Area meets the criteria for a Non-Condensation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on June 14, 2016, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on June 22, 2016, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 390.DD, Lot 8.B (also known as 225 Raritan Center Parkway) as an "area in need of redevelopment" ("Redevelopment Area") in accordance with the Redevelopment Law;

WHEREAS, by commission of the Municipal Council, the Planning Consultant has prepared a redevelopment plan for the Redevelopment Area entitled the "225 Raritan Center Parkway Redevelopment Plan" ("Redevelopment Plan," attached hereto as *Exhibit A*); and

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

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

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

Section 2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.

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

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.579-082016

EXPLANATION: A Resolution referring the 1015 Route 1 Redevelopment Plan to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

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

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the municipal committee (“Municipal Council”) of the Township of Edison (the “Township”) must authorize the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, on March 7, 2016, the Municipal Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 198.L, Lot 39 (aka 1015 Route 1) (the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment, which designation would authorize the Township and Municipal Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on May 5, 2016, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Heyer, Gruel & Associates (“Planning Consultant”) which determined that the Study Area met the criteria for designation as an “area in need of redevelopment” under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Planning Consultant and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Study Area be designated as an “area in need of redevelopment”; and

WHEREAS, on May 11, 2016, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 198.L, Lot 39 (also known as 1015 Route 1) as an “area in need of redevelopment” (“Redevelopment Area”) in accordance with the Redevelopment Law; and

WHEREAS, by commission of the Municipal Council, the Planning Consultant has prepared a redevelopment plan for the Redevelopment Area entitled the “1015 Route 1 Redevelopment Plan” (“Redevelopment Plan,” attached hereto as *Exhibit A*); and

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

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

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

Section 2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall

prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.

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

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.580-082016

EXPLANATION: A Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services.

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

WHEREAS, the Township desires to avail itself of the numerous possibilities to supplement funding for projects beneficial to the Township; and

WHEREAS, to avail itself to the numerous possibilities to supplement funding for projects beneficial to the Township, Millennium Strategies, 60 Roseland Avenue, Caldwell, New Jersey 07006 (“**Millennium Strategies**”) prepared a proposal for services, with regard to the grant research, writing and management services for the Township; and

WHEREAS, Millennium Strategies has proven itself as a successful and results-oriented grant research, writing and management firm, as is evidence by its current representation of sixty-six (66) municipalities, counties and non-profits in New Jersey, New York, Pennsylvania and Delaware, with client grant awards totaling over Thirty Nine Million Dollars (\$39,000,000.00) in 2015; and

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

WHEREAS, the Township desires to retain Millennium Strategies at a cost of Five Thousand Dollars (\$5,000.00) per month, inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice.

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

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

Section 2. The Township desires to retain Millennium Strategies at a cost of Five Thousand Dollars (\$5,000.00) per month, inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Millennium Strategies for its grant research, writing and management services.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Millennium Strategies.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.581-082016

EXPLANATION: A Resolution extending the 2014 entry-level firefighter list for a period of one (1) year.

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

WHEREAS, pursuant to *N.J.S.A. 40A:14-7 et seq.* the Township has the discretion to establish a hiring process for firefighters; and

WHEREAS, in furtherance of its authority to establish a hiring process for firefighters, the municipal council of the Township (the “**Municipal Council**”) authorized an entry-level firefighter list (the “**Firefighter List**”) in or about September 2014 that would be effective for a period of two (2) years; and

WHEREAS, for reasons of economy and to continue to maintain the safety, health, and well-being of all those who reside, do business within, and visit the Township, the Municipal Council desires to extend the effective date of the of the Firefighter List for a period of one (1) year, from September 4, 2016 until September 3, 2017.

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

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

Section 2. The Mayor and Township Clerk are hereby authorized to extend the Firefighter List for a period of one (1) year, from September 4, 2016 until September 4, 2017.

Section 3. This Resolution shall take effect immediately.

RESOLUTION R.582-082016

EXPLANATION: A Resolution rescinding Resolution R.347-052016 and setting forth the renewal date for the Township’s membership in the Central Jersey Joint Insurance Fund to December 31, 2016.

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

WHEREAS, the Township is a member of the Central Jersey Joint Insurance Fund (the “**Fund**”); and

WHEREAS, the Township passed Resolution R.347-052016 renewing its membership to the Fund as of June 30, 2016; and

WHEREAS, the Township desires to rescind Resolution R.347-052016 since the Township’s membership in the Fund does not expire until December 31, 2016; and

WHEREAS, the Township hereby desires to renew its membership to the Fund effective December 31, 2016 for a period of one (1) year until December 31, 2017; and

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

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

Section 2. The Township hereby renews its membership to the Fund effective December 30, 2016 for a period of one (1) year until December 31, 2017.

Section 3. This Resolution shall take effect immediately.

RESOLUTION R.583-082016

EXPLANATION: Resolution referring the proposed ordinance amending the G-B General Business District to include a convenience store with a fuel station as a permitted use.

WHEREAS, pursuant to the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*, the “**MLUL**”), specifically *N.J.S.A. 40:55D-65*, municipalities are authorized to enact zoning regulations by the adoption of ordinances; and

WHEREAS, pursuant to the MLUL, specifically *N.J.S.A. 40:55D-62*, municipalities are authorized to adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the purpose of the General Business District to provide minimum requirements to promote the public health, safety, morals and general welfare of the citizens and visitors to the Township of Edison (the “**Township**”) provide adequate light, air and convenience of access; avoid undue concentration of population by regulating and limiting the use of land, the height and bulk of buildings wherever erected; to limit and determine the size of yards and other open spaces; to regulate the density of population; and to conserve the value of property and encourage the most appropriate use of land throughout the Township with regard to the establishment of businesses; and

WHEREAS, it is the purpose of the municipal council of the Township (the “**Municipal Council**”) to provide an increased benefit to the Township by expanding the business uses in the General Business District to include a convenience store with a fuel station as a permitted use; and

WHEREAS, the Municipal Council proposed to enact the attached ordinance and desires to forward the ordinance to the planning board of the Township (the “**Planning Board**”) for review pursuant to *N.J.S.A. 40:55D-64*.

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

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

Section 2. The Municipal Council hereby refers the proposed ordinance amending the G-B General Business District to include a convenience store with a fuel station as a permitted use attached hereto as **EXHIBIT A** to the Planning Board for review and recommendation in accordance with the requirements of *N.J.S.A. 40:55D-64*.

Section 3. The Planning Board is authorized and directed to prepare a report of its recommendations (the “**Planning Board Report**”) to the proposed G-B General Business District amending ordinance within thirty-five (35) days of the date hereof.

Section 4. If the Planning Board Report is not transmitted to the Municipal Council within thirty-five (35) days of the date hereof, the Municipal Council shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment to the Plan in accordance with *N.J.S.A. 40:55D-26*.

Section 5. The Clerk of the City shall forward a copy of this Resolution and the Proposed Amendment to the Planning Board for review pursuant to *N.J.S.A. 40:55D-64*.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.584-082016

EXPLANATION: A resolution adopting the Affirmative Marketing Plan for the Township of Edison.

WHEREAS, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26-1, et seq.*, the Township of Edison is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created within the Township of Edison are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 3, the Housing Region encompassing the Township of Edison.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Edison, County of Middlesex, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

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

Section 2. The Township of Edison Affirmative Marketing Plan is as follows:

Affirmative Marketing Plan

- A. All affordable housing units in the Township of Edison shall be marketed in accordance with the provisions herein unless otherwise provided by law or regulation of the State of New Jersey.
- B. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Township's prior round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract to the Township of Edison. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of the affordable unit(s).
- D. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Edison is located in Housing Region 3, consisting of Middlesex, Hunterdon and Somerset Counties.
- E. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Edison, shall undertake the following strategies for each new affordable unit within the Township:
 - 1. Ensure that the owner publishes at least one advertisement in a newspaper of general circulation within the housing region, with the advertisement subject to the review and approval of the Administrative Agent and paid for by the owner/developer/landlord as per "C", above, and
 - 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region (see Appendix III for a listing of radio and TV sources throughout the region), and
 - 3. At least one additional regional marketing strategy using one of the other sources listed below.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
 - 1. All newspaper articles, announcements and requests for pre-applications for low and moderate income units shall appear in at least one major circulation daily newspaper of regional circulation (throughout all of Region 3), or through a series of daily newspapers that reaches all of Region 3 residents. This may include but is not limited to the Star Ledger, the Home News Tribune or the Courier News.
 - 2. For new developments, the primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspaper(s) once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 - 3. The advertisement shall include a description of the:
 - a. Street address(es) of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Numbers of bedrooms in units (bedroom mix);

- e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees, if any;
 - i. Number of units currently available;
 - j. Anticipated dates of availability;
4. Newspaper articles, announcements and information on where to request applications for low and moderate income housing shall also appear at least once a week for four consecutive weeks in at least three **locally** oriented weekly newspapers within the region, one of which shall be circulated primarily within Middlesex County and the other two of which shall be circulated primarily outside of Middlesex County but within the housing region.
- G. The Administrative Agent shall develop, maintain and regularly update a list of community contact person(s) and/or organizations(s) in Middlesex, Hunterdon and Somerset Counties that will aid in Edison's affirmative marketing program. The list shall include as many contacts that will reach out to groups that are least likely to apply for housing within the region. Information shall be sent quarterly to every entity on the Township's affirmative marketing list: Please see Appendix I at the end of this Resolution for a list of all current community contacts, including reaching those least likely to apply, major employers, institutions, public entities, etc.

Using the above referenced list in Appendix I, at a minimum the Administrative Agent shall ensure that the following affirmative marketing occurs:

- 1. Quarterly information shall be sent to each of the following agencies with a request for publication in their journals and for circulation among their members:
 - Middlesex County Board of Realtors
 - Somerset County Board of Realtors
 - Hunterdon County Board of Realtors
 - 2. Quarterly information and requests to post same shall be sent to the administrators of each of the following agencies within the counties of Middlesex, Hunterdon and Somerset:
 - Welfare or Social Service Board (via the Director)
 - Rental Assistance Office (local office of DCA)
 - Office on Aging
 - Housing Authority (municipal and county)
 - Community Action Agencies
 - Community Development Departments
 - 3. Quarterly information and requests to post same shall also be sent to the chief personnel administrators of all of the major employers within the region, as listed in Appendix I.
- H. Requests to post brochure(s), sign(s), poster(s) and/or other appropriate outreach materials used as part of the affirmative marketing program shall be made to each of the locations shown on Appendix II at the end of this Resolution.

In addition, links to online pre-applications shall be provided by the Administrative Agent, the Developer, and the Municipal Housing Liaison to prospective applicants upon request. If prospective applicants do not have internet access they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call, and mail them a confirmation and details. If applicant prefers completing a paper copy themselves, a paper copy will be sent by mail to the prospective applicant. Only by the Administrative Agent should send out paper copies of pre-applications, to ensure the most current form is always sent.

Also, information on how to apply for affordable housing shall be available at the developer's sales/rental office and shall be provided to prospective applicants upon request.

- I. The following is a listing of community contact person(s) and/or organizations serving Middlesex, Hunterdon and Somerset Counties that may aid in the affirmative marketing program, provide guidance and/or counseling services to prospective occupants of low and moderate income units:
- 1. Central Jersey Housing Resource Center, 600 First Ave., Ste. 3, Raritan, NJ 08869
 - 2. Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, NJ 07202

3. Faith Fellowship Community Development Corporation, 2707 Main Street, Sayreville, NJ 08872-1457
 4. Fair Share Housing Center, 510 Park Blvd, Cherry Hill, NJ 08002
 5. Housing Partnership for Middlesex County, 2 East Blackwell St., Dover, NJ 07801
 6. Latino Action Network, PO Box 943, Freehold, NJ 07728
 7. N.A.A.C.P. New Jersey State Conference, 4326 Harbor Beach Blvd., #775, Brigantine, NJ 08203
 8. Metuchen/Edison Area N.A.A.C.P., 127 Newman Street, Metuchen, NJ 08840
 9. New Brunswick Area N.A.A.C.P., PO Box 235, New Brunswick, NJ 08901-0235
 10. New Jersey Citizen Action, 75 Raritan Ave., Suite 200, Highland Park, NJ 08904
 11. Northwest New Jersey Community Action Program, Inc. (NORWESCAP), 350 Marshall Street, Phillipsburg, NJ 08865
 12. Perth Amboy Area N.A.A.C.P., PO Box 1219, Perth Amboy, NJ 08862-1219
 13. Plainfield Area N.A.A.C.P., PO Box 368, Plainfield, NJ 07060
 14. Puerto Rican Action Board, Inc., 90 Jersey Ave., New Brunswick, NJ 08901-3258
 15. Puerto Rican Association for Human Development, Inc., 100 First Street, Perth Amboy, NJ 08861-4645
- J. Whenever necessary, a random selection method to select occupants of low and moderate income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (I). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 3 comprised of Middlesex, Hunterdon and Somerset Counties. For additional information on the random selection, the marketing of units, waiting lists and matching households to available unit procedures, please also refer to Chapter III of the Township's Affordable Housing Operating Manual.
- K. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq.*
- L. Whenever appropriate, the Administrative Agent shall provide or direct qualified low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law. The Administrative Agent shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- M. All developers/owners of low and moderate income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
- N. The implementation of the Affirmative Marketing Plan for a new development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all low income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary. Please note that in addition to complying with this Township-wide Affirmative Marketing Plan that the Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Edison that is subject to NJAC 5:80-26.1 *et seq.* That document shall be completed by the owner/developer and will be compliant with the Township's Affirmative Marketing Plan as presented herein, and incorporate development specific details and permitted options, all subject to the Administrative Agent's review and approval. The development specific affirmative marketing plans will use the standard form for Region 3, included at the end of this document as Appendix III.
- O. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq.*

Section 3. This Resolution shall take effect immediately.

RESOLUTION R.585-082016

EXPLANATION: This Resolution Endorses the 2016 Housing Element and Fair Share Plan of the Township of Edison and Approves the Amended Settlement Agreement between the Township, the Fair Share Housing Center and the Intervenor/Defendants in the Township's pending Declaratory Action Proceeding

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Courts, and established a transitional process for municipalities, like the Township of Edison, to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSP") as being constitutionally compliant and to seek the judicial equivalent of substantive certification, which has been deemed by the Court to be a Judgment of Compliance and Repose and accompanying protection as provided under the Fair Housing Act of 1985; and

WHEREAS, on July 7, 2015, in accordance with the Supreme Court's decision, the Township filed a declaratory judgment action that is captioned, In the Matter of the Application of the Township of Edison, a municipal Corporation of the State of New Jersey, Docket No. MID-L-3944-15; and

WHEREAS, in that filing, the Township also sought a determination from the Superior Court regarding the Township's future use and disposition of the Township's Affordable Housing Trust Funds, as directed by the New Jersey Appellate Division in the case, In Re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations, Docket Nos. A-5257-11T4 and A-0122-13T3.; and

WHEREAS, the Township agreed by prior Resolution, to settle the litigation with the Fair Share Housing Center and the Intervenor/Defendants, in the case, authorized execution of a Settlement Agreement, which was executed by all Parties in April, 2016 (the "April 2016 Agreement"), and requested that the Superior Court, Middlesex County, find that the April 2016 Agreement, and the Township's approach to meeting the Township's Prior Round and Third Round Mount Laurel obligations, as detailed therein, are fair to the interests of lower-income New Jersey households and entitle the Township to protection from Mount Laurel litigation for a period of ten (10) years from the Order entered by the Court approving that Agreement; and

WHEREAS, as part of the April 2016 Agreement, the Township's Planning Consultant prepared a HEFSP dated April 10, 2016 and Updated Spending Plan, dated April 2016, in which the Township advised that it had actually met its entire Prior Round obligation and significant portions of its Third Round obligation, and identified specific sites and mechanisms for the remainder of its Third Round obligation that presents a realistic opportunity for the development of housing affordable to lower-income households, including families, people with special needs, very-low-income households including very-low-income families, and seniors; and

WHEREAS, the April HEFSP was reviewed by the Planning Board at its April 18, 2016 Meeting and the Board adopted a Resolution at that Meeting wherein it determined that implementation of the HEFSP is in the public interest, will protect public health and safety and will promote the general welfare and therefore, committed to promptly comply with the formal, procedural requirements for the adoption of the HEFSP as an amendment to the Township's Master Plan, if the HEFSP was approved by the Court; and

WHEREAS, the April 2016 Agreement was reviewed by the Court in accordance with the requirements of *Morris County Fair Housing Council v. Boonton Township*, 197 N.J. Super. 359, 364 (Law Div. 1984), *affd o.b.*, 209 N.J. Super. 108 (App. Div. 1986) and *East/West Venture v. Borough of Fort Lee*, 286 N.J. Super. 311, 328 (App. Div. 1996) at a Compliance Hearing held on June 7, 2016; and

WHEREAS, the April 2016 Agreement and April HEFSP were preliminarily approved by Order of the Court dated June 16, 2016, subject to satisfaction of certain comments and revisions set forth in the June 4, 2016 Report of the Special Master and as discussed on the record at the Compliance Hearing, on the grounds that they are fair to the interests of the Region's low and moderate income households and is in accordance with the criteria set forth in *East/West Venture v Borough of Fort Lee*, 286 N.J. Super. 311 (App. Div. 1996); and

WHEREAS, the Township has made the revisions to the April 2016 Agreement, which were not substantive, and prepared a Final HEFSP to reflect the revisions and comments set forth in the June 4, 2016 Report of the Special Master; and

WHEREAS, the Amended Settlement Agreement, Final HEFSP, together with the Spending Plan, will be reviewed by the Court at a Final Compliance Hearing in the matter to be held on October 7, 2016 and will be the basis for a Final Judgment of Compliance and Repose in the Litigation; and

WHEREAS, the Final HEFSP was submitted to the Planning Board for consideration and action at its August 15, 2016 Meeting; and

WHEREAS, on August 15, 2016, the Planning Board held a duly noticed public meeting regarding the proposed Final HEFSP, during which, it took testimony from its consultants and provided the opportunity for comments and questions from the public; and

WHEREAS, the Planning Board determined that the proposed Final HEFSP is consistent with the goals and objectives of the Township of Edison Master Plan, as amended, and that said adoption and implementation of the proposed Final HEFSP is in the public interest and will protect the public's health and safety and promote the general welfare; and

WHEREAS, by Resolution adopted on August 15, 2016, the Planning Board approved and adopted the Final HEFSP as an amendment to the Township of Edison's Master Plan; and

WHEREAS, a true copy of the Resolution of the Planning Board approving the Final HEFSP is attached hereto; and

WHEREAS, the Governing Body of the Township of Edison desires to approve the Amended Settlement Agreement, and endorse the Final HEFSP as adopted by the Planning Board, and to submit the Amended Settlement Agreement and Final HEFSP to the New Jersey Superior Court for a Final Judgment of Compliance and Repose in the pending Litigation.

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

Section 1. The Council hereby approves the Amended Settlement Agreement with the Fair Share Housing Center and the Intervenors/Defendants in the pending Declaratory Judgment Action.

Section 2. The Council hereby approves and endorses the Final HEFSP, that has been approved by the Planning Board and authorizes its submission, together with the Amended Settlement Agreement, to the Court for review and the basis for a Judgment of Compliance and Repose by the Court at the October 7, 2016 Compliance Hearing.

Section 3. The Mayor, Township Administrator, and Township Clerk, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.586-082016

EXPLANATION: This Resolution commits the Township of Edison to allocate sufficient resources, to the extent consistent with and required by law, to meet the Township's affordable housing obligations pursuant to the adopted Housing Element and Fair Share Plan. This Resolution further commits the Township, to the extent consistent with and required by law, to fund any shortfall in resources needed to meet its affordable housing obligations pursuant to the adopted Housing Element and Fair Share Plan, including the issuance of municipal bonds if there are no other resources available.

WHEREAS, the Township of Edison, Middlesex County (the "Township"), has petitioned the Superior Court, In the Matter of the Application of the Township of Edison, a Municipal Corporation of the State of New Jersey, Law Division-Middlesex County, Docket No. MID-L-3944-15 (the "Superior Court") for a Judgment of Compliance and Repose of its adopted Housing Element and Fair Share Plan (the "Plan"); and

WHEREAS, the Plan submitted to the Superior Court allocates funds for Group Home Bedrooms, a Market to Affordable Program and Affordability Assistance and Administration; and

WHEREAS, the Township anticipates that funding will come from development fees collected and projected; and

WHEREAS, it is the Superior Court's position that the Township must allocate funds for the provision of affordable housing as set forth in the Township's adopted Housing Element and Fair Share Plan; and

WHEREAS, in the event the development fees collected by the Township prove inadequate to complete the affordable housing programs included in the Township's Superior Court Certified Housing Element and Fair Share Plan, the Township will, to the extent consistent with and required by law, take all appropriate actions to secure and make available sufficient funding from all sources to address any shortfalls.

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

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

Section 2. The Township does hereby agree to take appropriate actions, to the extent consistent with and required by law, to fund any shortfall in its approved affordable housing programs that may arise whether due to inadequate funding from other sources or for any other related reason.

Section 3. The Township hereby expresses its intent, to the extent consistent with and required by law, to issue municipal bonds if no other resources are available to meet its affordable housing obligations pursuant to the adopted Housing Element and Fair Share Plan.

Section 4. This Resolution shall take effect immediately.

RESOLUTION 587-082016

EXPLANATION: Resolution Releasing Maintenance Bond #34403 under application No.P5144 to Butter Construction 16 Wood Acres Drive, Edison NJ 08820

WHEREAS, the Township Engineer advises that an inspection has been made of 37 Hamilton Avenue, Block 643-J and Lot: 16.01 & 19.01, Application #P5144, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on September 24, 2014 Butter Construction Posted a Maintenance Bond #34403 in the amount of \$3,304.80 with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Maintenance Bond #34403 in the amount of \$3,304.80. The principal being Butter Construction having offices at 16 Wood Acres Drive, Edison NJ 08820, and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond #34403 in the amount of \$3,304.80

RESOLUTION R.588-082016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Steven Hercman
9 Ryan Road, Edison NJ 08817 11-050 Account # **7761963722**

WHEREAS, on July 17, 2012, Steven Hercman posted a Tree Maintenance Bond fees in the amount of \$1,350.00 on deposit with the Township of Edison in account #7761963722 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-050.

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,350.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,350.00 Herein above mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,350.00 on deposit in Account #7761963722 Steven Hercman, having an address at 9 Ryan Road, Edison, NJ 08820, **Account #7761963722**

RESOLUTION R.593-082016

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to 2900 Woodbridge Avenue Application #P01-2013 Account #7762495427 and Performance Bond No. BG1102302

WHEREAS, the Township Engineer advises that an inspection has been made of 2900 Woodbridge Avenue Edison, New Jersey 08817, Application #P01-2013 Block: 390 Lot: 49-A, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, 2900 Woodbridge Avenue posted a Performance Bond #BG1102302 on June 1, 2014, in the amount of \$1,444,011.52, having offices at 45 Marble Loop, Staten Island, NY 10309 to guarantee the installation of improvements for the project known as 2900 Woodbridge Avenue in Block #390 and Lot #49-A and designated Application #P01-2013; and

WHEREAS, a Cash Performance check was posted on June 17, 2014 by 2900 Woodbridge Avenue of Edison, in the amount of \$160,445.72, on deposit in account #7762495427; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$160,445.72** plus accrued interest, if applicable, on deposit in account #7762495427 to the applicant and the Performance Bond #BG1102302 in the amount of **\$1,444,011.52** of the Lexon Insurance Company be refunded to 2900 Woodbridge Avenue, having offices at 45 Marble Loop, Staten Island, New York 10309.

RESOLUTION R.589-082016

EXPLANATION: Refunding Cash Performance & Performance Guarantee Bond to Edison RX Development, LLC C/o DLC Management Corp, Application #Z55-2013, 580 Tarrytown, N.Y. 10591

WHEREAS, Edison Rx Development posted a Performance Bond #SU0542344 posted on February 26, 2015 of International Fidelity Insurance Company, in the amount of **\$138,151.82**, posted by Edison RX Development, LLC C/o DLC Management Corp, having offices at 580 Tarrytown, N.Y. 10591 to guarantee the installation of improvements for the project known as Edison RX Development, LLC- Walgreens located in Block #546-B and Lot #43-A and designated Application #Z55-2013; and

WHEREAS, a Cash Performance Bond was posted on February 26, 2015, in the amount of **\$15,350.20**, on deposit in account #7763342430; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$15,350.20** plus accrued interest, if applicable, on deposit in account #7763342430 to the applicant and the Performance Guarantee Bond #SU0542344 in the amount of **\$138,151.82** of the International Fidelity Insurance Company be refunded to Edison RX Development, LLC C/o DLC Management Corp.

RESOLUTION R.590-082016

EXPLANATION: Releasing Cash performance to Elrac, LLC 1550 Route 23 North, Wayne, NJ 07470, Account #7762495328

WHEREAS, the Township Engineer advises that an inspection was made on the above subject located in Block #1120 Lot: 62.A

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance, in the amount of \$108,196.36, in account 7762495328 to Elrac, LLC

NOW THEREFORE, BE IT RESOLVED by the municipal council of the township of edison that the aforementioned improvements are hereby complete and satisfactory and the Chief Financial Officer is hereby authorized to release the aforesaid Cash Performance; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance in the amount of \$108,196.36, on deposit in account #7762495328 to the applicant Elrac LLC having an address of 1550 Route 23 North, Wayne, NJ 07470.

RESOLUTION R.591-082016

EXPLANATION: Releasing Cash performance to Tulfra, 3775 Park Ave, Land Banked Parking Application #P6507/08 Account #7763342422

WHEREAS, the Township Engineer advises that an inspection was made on the above subject located in Block #495, 556J, 1025 Lot's: 1, 2, 13A & 2Q4

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance, for the total amount of \$136,431.16 in account #7763342422 to Tulfra having an address of 87 West Passaic, Rochelle Park, NJ 07662

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Chief Financial Officer is hereby authorized to release the aforesaid Cash Performance; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance in the amount of \$136,431.16, on deposit in account #7763342422 to the applicant Tulfra having an address of 87 West Passaic, Rochelle Park, NJ 07662

RESOLUTION R.592-082016

EXPLANATION: Masjid Al-Wali 10 Olsen Avenue Application # Z04-04/05
Block: 590, Lot: 16 Release of Cash & Performance Bond Reduction

WHEREAS, Masjid Al-Wali posted Performance Bond # UB0001119 of Unity Bank in the amount of \$307,105.56. A 70% reduction was done under Resolution # R785-112015 reducing the balance to \$92,131.67 posted by Masjid Al-Wali, having offices at 3 Cedarwood Drive, Edison, NJ 08820 to guarantee the the installation of improvements for the project known Masjid Al-Wali located in Block #590 and Lot #16 and designated Application #Z04-04/05; and

WHEREAS, a Cash Performance Bond was posted on October 3, 2012, by Check #22-010377, in the amount of \$34,122.84. A Cash Bond Reduction was posted on November 20, 2015 by Resolution #R785-112015 Reducing the Cash Bond to **\$10,236.85** on deposit in account **#7762495187**; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Reduce Performance Bond #UB0001119 of Unity Bank in the amount of \$92,131.67 be release for Final Acceptance.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$10,236.85**, plus accrued interest, on deposit in Account **#7762495187** to Masjid Al-Wali having offices at 3 Cedarwood Drive Edison, N.J. 08820

RESOLUTION R.593-082016

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to 2900 Woodbridge Avenue Application #P01-2013 Account #7762495427 and Performance Bond No. BG1102302

WHEREAS, the Township Engineer advises that an inspection has been made of 2900 Woodbridge Avenue Edison, New Jersey 08817, Application #P01-2013 Block: 390 Lot: 49-A, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, 2900 Woodbridge Avenue posted a Performance Bond #BG1102302 on June 1, 2014, in the amount of \$1,444,011.52, having offices at 45 Marble Loop, Staten Island, NY 10309 to guarantee the installation of improvements for the project known as 2900 Woodbridge Avenue in Block #390 and Lot #49-A and designated Application #P01-2013; and

WHEREAS, a Cash Performance check was posted on June 17, 2014 by 2900 Woodbridge Avenue of Edison, in the amount of \$160,445.72, on deposit in account #7762495427; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$160,445.72** plus accrued interest, if applicable, on deposit in account #7762495427 to the applicant and the Performance Bond #BG1102302 in the amount of **\$1,444,011.52** of the Lexon Insurance Company be refunded to 2900 Woodbridge Avenue, having offices at 45 Marble Loop, Staten Island, New York 10309.

RESOLUTION R..594-082016

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to DDMBA, LLC, INC-56 Vineyard Road, Application #P08-2013 Account #7763342373 and Performance Surety Bond #1149605

WHEREAS, DDMBA-NJ, Inc. posted a Performance Surety Bond #1149605 posted on September 18, 2014 of The Selective Insurance Company, in the amount of \$175,174.00, posted by DDMBA, LLC, Inc. having offices at 56 Vineyard Road, Edison, NJ 08817 to guarantee the installation of improvements for the project DDMBA,-NJ, Inc. located in Block #1111 and Lot #52 & 53

WHEREAS, a Cash Performance check was posted on October 16, 2014 by Check #52194587-5, in the amount of \$19,463.82, on deposit in account #7763342373

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$19,463.82** plus accrued interest, if applicable, on deposit in account #7763342373 to the applicant and the Surety Bond #1149605 in the amount of **\$175,174.00** of the Selective Insurance Company of America be refunded to DDMBA-NJ, Inc, 56 Vineyard Road, Edison NJ 08817

RESOLUTION R.595-082016

RESOLUTION AWARDING CONTRACT TO CGP&H, LLC FOR AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on July 26, 2016, for RFP 16-07, AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES for a bid opening date of August 9, 2016 and one (1) proposal was received; and

WHEREAS, after review and evaluation of said proposal, it has been recommended by the Township that the contract be awarded to CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512; and

WHEREAS, funds in the amount of \$200,000.00 have been certified to be available in the Affordable Housing Account, No. T-13-00-0000-000-006; 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 proposal as submitted by CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512 is determined to be in the best interest of the Township for Affordable Housing Administrative Agent Services Services.

- 2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00, and any other necessary documents, with CGP&H, LLC in accordance with the proposal.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$200,000.00** are available for the above contract in Account No. **T-13-00-0000-000-006**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.596-082016

EXPLANATION: Resolution authorizing Change Order No. 1 in the amount of \$2,682.00 for Abhzeen Design, Contractor for Firehouse No. 3 Flooring Installation, for a total revised contract amount of \$32,482.00

WHEREAS, the Township Council awarded a contract through competitive bidding (Bid No. 16-23-01) to Abhzeen Design (2152 Whitesville Road, Toms River, NJ 08755) in the amount of \$29,800.00 for the Interior Flooring Removal and Replacement at Fire House No. 3 (849 Amboy Avenue); and

WHEREAS, the contract was awarded through Resolution R. 370-052016, dated May 11, 2016; and

WHEREAS, during the course of the work, additional repairs to the subflooring was determined to be needed upon removal of the various layers of flooring installed at the facility; and

WHEREAS, additional demolition and renovations ongoing at the time of the contractor’s work resulted in phasing of the work and changes to the types of material treatments for the flooring trim not originally anticipated; and

WHEREAS, the Township Engineer has found the above described work to be outside of the Scope of Services contained within the original project bid; and

WHEREAS, additional funds in the amount of \$2,682.00 have been certified to be available in the Capital Account for Fire House Renovations, Account Number C-04-14-1872-310-001; and

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, in the State of New Jersey, that Change Order No. 1 be awarded to Abhzeen Design, 2152 Whitesville Road, Toms River, NJ 08755, in an amount not to exceed \$2,682.00 resulting in a revised contract amount of \$32,482.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,682.00** are available for the above contract in Account No. **C-04-14-1872-310-001**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.597-082016

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000203, to the following:

| | |
|-----------------------------|--|
| Permit Number: | 0926 |
| Opening Location: | 68 Safran Avenue |
| Block/Lot: | 744/19 |
| Applicant's Name & Address: | A.J. Perri 1162 Pine Brook Road Tinton Falls, NJ 07724 |
| Initial Deposit Date: | 04/05/16 |
| Deposit Amount: | \$512.00 |
| Paid by & refunded to: | A.J. Perri 1162 Pine Brook Road Tinton Falls, NJ 07724 |

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

RESOLUION R.598-082016

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED by the municipal council of the township of edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000207, to the following:

| | |
|-----------------------------|---|
| Permit Number: | 0919 |
| Opening Location: | 3 Bradford Road |
| Block/Lot: | 557.N/36 |
| Applicant's Name & Address: | AA Absolute Construction 115 E. 11 th Avenue Roselle, NJ 07203 |
| Initial Deposit Date: | 04/18/16 |
| Deposit Amount: | \$360.00 |
| Paid by & refunded to: | Ankita Patel 3 Bradford Road Edison, NJ 08820 |

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

RESOLUTION R.599-082016

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000202, to the following:

| | |
|-----------------------------|---|
| Permit Number: | 0904 |
| Opening Location: | 120 Overbrook Avenue |
| Block/Lot: | 375.K/12.D |
| Applicant's Name & Address: | Stilo Paving & Excavating 2907 S. Clinton Ave. South Plainfield, NJ 07080 |
| Initial Deposit Date: | 03/17/16 |
| Deposit Amount: | \$3000.00 |
| Paid by & refunded to: | Baps Development, Inc. 2500 Woodbridge Avenue Edison, NJ 08817 |

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

RESOLUTION R.600-082016

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000212, to the following:

| | |
|--|--|
| Permit Numbers: | 0964, 0965, 0966, 0967, 0968, 0969, 0970 |
| Opening Location: | 1 Regent Court |
| Block/Lot: | 1134/5 |
| Applicant's Name & Address: | Water Resource Technologies, Inc. 2 Kanouse Road Newfoundland, NJ 07435 |
| Initial Deposit Date: | 05/12/16 |
| Deposit Amount: | \$208.00 |
| Paid by & refunded to: | Water Resource Technologies, Inc. 2 Kanouse Road Newfoundland, NJ 07435 |

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

RESOLUTION R.601-082016

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000208, to the following:

| | |
|--|---|
| Permit Number: | 0925 |
| Opening Location: | 15 Lamar Avenue |
| Block/Lot: | 545.S/15.01 |
| Applicant's Name & Address: | Gulberg Builders LLC 3830 Park Avenue Edison, NJ 08820 |
| Initial Deposit Date: | 04/20/16 |
| Deposit Amount: | \$480.00 |
| Paid by & refunded to: | Gulberg Builders LLC 3830 Park Avenue Edison, NJ 08820 |

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

RESOLUTION R. 602-082016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SANITATION EQUIPMENT CORP. FOR AUTOMATED REFUSE COLLECTION SYSTEM PARTS (LABRIE, HEIL & MCNEILUS)

WHEREAS, bids were received by the Township of Edison on June 15, 2016 for Public Bid No. 16-08-21-Automated Refuse Collection System Parts (Labrie, Heil & McNeilus) for the Department of Public Works; and

WHEREAS, SANITATION EQUIPMENT CORP., S122 Route 17, Paramus, NJ 07652 submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$80,000.00, 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 SANITATION EQUIPMENT CORP., S122 Route 17, Paramus, NJ 07652 Automated Refuse Collection System Parts (Labrie, Heil & McNeilus) for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$80,000.00 and any other necessary documents, with SANITATION EQUIPMENT CORP. as described herein.

RESOLUTION R.603-082016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MCNEILUS TRUCK AND MANUFACTURING CO. FOR AUTOMATED REFUSE COLLECTION SYSTEM PARTS (LABRIE, HEIL & MCNEILUS)

WHEREAS, bids were received by the Township of Edison on June 15, 2016 for Public Bid No. 16-08-21-Automated Refuse Collection System Parts (Labrie, Heil & McNeilus) for the Department of Public Works; and

WHEREAS, MCNEILUS TRUCK AND MANUFACTURING CO., 524 E. Highway St., Dodge Center, MN 55927 submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$60,000.00, 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 MCNEILUS TRUCK AND MANUFACTURING CO., 524 E. Highway St., Dodge Center, MN 55927 Automated Refuse Collection System Parts (Labrie, Heil & McNeilus) for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$60,000.00 and any other necessary documents, with MCNEILUS TRUCK AND MANUFACTURING CO. as described herein.

RESOLUTION R.604-082016

RESOLUTION AUTHORIZING A REIMBURSEMENT TO BELLA BURDOV FOR THE RECREATION TRIP TO INTREPID SEA, AIR & SPACE MUSEUM

WHEREAS Bella Burdov made a payment for two people to attend the Edison Recreation sponsored trip to the Intrepid, Sea, Air and Space Museum, and

WHEREAS the trip was cancelled.

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 \$64 to Bella Burdov, 5 Meadow Brook Rd., Edison, NJ 08837, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$64.00 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.605-082016

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MICHONG MARKO FOR THE RECREATION TRIP TO
INTREPID SEA, AIR & SPACE MUSEUM**

WHEREAS Michong Marko made a payment for five people to attend the Edison Recreation sponsored trip to the Intrepid, Sea, Air and Space Museum, and

WHEREAS the trip was cancelled.

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 \$172.50 to Michong Marko, 165 Orange St., Edison, NJ 08817, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$172.50 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.606-082016

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
EDWARD OWSIK FOR THE RECREATION TRIP TO
INTREPID SEA, AIR & SPACE MUSEUM**

WHEREAS Edward Owsik made a payment for three people to attend the Edison Recreation sponsored trip to the Intrepid Sea, Air and Space Museum, and

WHEREAS the trip was cancelled.

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 \$98.50 to Edward Owsik, 4 Wilshire Rd., Edison, NJ 08817, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$98.50 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.607-082016

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
DEYSI SALDANA FOR THE RECREATION TRIP TO
THE CIRCLE LINE CRUISE**

WHEREAS Deysi Saldana made a payment for two people to attend the Edison Recreation sponsored trip to the Circle Line Cruise, and

WHEREAS the trip was cancelled.

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 \$58.00 to Deysi Saldana, PO Box 126., Port Reading, NJ 07064, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$58.00 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.608-082016

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SHANMUGA PRIYA SIVAKUMAR FOR THE ABC PROGRAM**

WHEREAS Shanmuga Priya Sivakumar made payment in the amount of \$25.00 for her child, Sahana Sivakumar’s participation in the ABC Program at James Madison Primary Elementary School; and

WHEREAS the child will be in Kindergarten in September; and

WHEREAS the child is not eligible for both the before and after care programs; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$25.00 to Shanmuga Priya Sivakumar, 5 Azalea Dr., Edison, NJ 08820, which amount represents the registration fee for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$25.00 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.609-082016

RESOLUTION AWARDING PAYMENT TO VARIOUS NON-PROFIT ORGANIZATIONS FOR LEAGUE RECREATIONAL SERVICES FUNDING SPORTS

WHEREAS, there exists an ordinance for the Township of Edison to provide for League Recreational Services Funding for sports activities sponsored by certain nonprofit sports organizations; and

WHEREAS, funds in the amount of \$195,490.00 have been certified to be available in the Recreation Other Professional Services Account Number 6-01-28-0370-000-028; and

WHEREAS, the below listed nonprofit sports organizations will be eligible for the amounts specified as their annual allotment, after complying with all requirements listed in the contracts between the Leagues and the Township of Edison:

| | |
|--------------------------------------|-------------|
| Buddy Ball of Edison | \$ 4,050.00 |
| Edison Angels Softball | \$20,880.00 |
| Edison Boys Baseball | \$42,120.00 |
| Edison Jets Football | \$ 9,720.00 |
| Edison United Soccer Association | \$27,000.00 |
| Edison Wizards LaCrosse | \$ 1,000.00 |
| Edison Youth Basketball | \$15,390.00 |
| Fords/Clara Barton Little League | \$ 3,888.00 |
| Little Eagles Wrestling | \$ 2,835.00 |
| Midtown Little League | \$13,770.00 |
| No. Edison Baseball & Softball Asso. | \$42,282.00 |
| No. Edison Shamrocks Football | \$ 9,720.00 |
| No. Edison Rec Wrestling Club | \$ 2,835.00 |

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that authorization be given, to release said funds to these nonprofit sports organizations.

CERTIFICATION

I hereby certify that funds in the amount of \$195,490.00 are available for the above payment in Account 6-01-28-0370-000-028.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.610-082016

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE FIRE VEHICLES FROM MALL CHEVROLET THROUGH THE CRANFORD POLICE 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 Township of Edison is a member of the Cranford Police Cooperative Pricing System #47-CPCPS; and

WHEREAS, MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, New Jersey 08002 has been awarded Contract 15-01 - Police and Administrative Vehicles, through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with MALL CHEVROLET for three (3) 2016 Chevrolet Tahoe PPVs at a total price of \$111,120.00 (\$37,040.00 each) under the Cranford Police Cooperative Pricing System; and

WHEREAS, funds for this purchase, in the amount of \$111,120.00 are available in the Fire Fighting - Purchase of Vehicles Account, Number 6-01-25-0265-001-051; 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 and any other necessary documents, in the amount of \$111,120.00 with MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, New Jersey 08002, the approved Cranford Police Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Cranford Police 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 **\$111,120.00** are available in account number **6-01-25-0265-001-051**.

/s/ Nicholas C. Fargo
Chief Financial Officer

Resolution R.611-082016

**DRIVE SOBER OR GET PULLED OVER
2016
Labor Day Crackdown
Grant Approval**

WHEREAS, the Division of Police has applied for grant funding in the amount of \$5,000.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2015, nationwide, fatalities from traffic accidents increased, many of which related to alcohol consumption; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

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

WHEREAS; the project will involve increased enforcement from August 19 through September 5, 2016; and

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

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police will accept the grant, Drive Sober or Get Pulled Over 2016 Labor Day Crackdown between August 19, 2016 – September 5, 2016 and pledges to increase awareness of DWI Laws.

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

RESOLUTION R.612-082016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO ATLANTIC TACTICAL OF NJ FOR THE PURCHASE OF AMMUNITION FOR THE DIVISION OF POLICE

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

WHEREAS, ATLANTIC TACTICAL OF NJ, 763 Corporate Circle, New Cumberland, PA, 17070 has been awarded ammunition from State Contract Number 81297 under T-0106 POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES - STATEWIDE; and

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

WHEREAS, the total amount of this contract, not to 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.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$25,000.00, and any other necessary documents, with ATLANTIC TACTICAL OF NJ 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. 81297 under T-0106.

RESOLUTION R.613-082016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO TASER INTERNATIONAL FOR THE PURCHASE OF DIGITAL EVIDENCE CAPTURE AND MANAGEMENT SYSTEM FOR THE DIVISION OF POLICE

WHEREAS, bids were received by the Township of Edison on August 17, 2016 for Public Bid No. 16-07-07 DIGITAL EVIDENCE CAPTURE AND MANAGEMENT SYSTEM; and

WHEREAS, TASER INTERNATIONAL, INC., 17800 N. 85TH Street, Scottsdale, AZ 85255 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the initial contract period shall be two years with two, one year renewals at the sole option of the Township; and

WHEREAS, the initial purchase price shall be not to exceed \$361,473.92 for the first two years and \$178,920.00 for each of the next two years should the Township choose to renew for years three and four; and

WHEREAS, funds in the amount of \$298,973.92 have been certified to be available in the Various Equipment for Police Department Capital Account, Number C-04-15-1914-240-000, funds in the amount of \$62,500.00 will be available from the State of NJ, Attorney General's Body Worn Camera Assistance Program Grant, and funds in the amount of \$178,920.00 for years three and four of the contract

is subject to and contingent upon sufficient funds in the temporary and/or permanent budgets for those years; 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 TASER INTERNATIONAL, INC., 17800 N. 85TH Street, Scottsdale, AZ 85255 for Digital Evidence Capture and Management System 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 \$361,473.92 for the initial two year period and \$357,840.00 for years three and four (\$178,920.00 for each additional year) and any other necessary documents, with TASER INTERNATIONAL, INC.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$298,973.92** are available for the above contract in Account No. **C-04-15-1914-240-000**, funds in the amount of **\$62,500.00** will be available from the State of NJ, Attorney General’s Body Worn Camera Assistance Program Grant and funds in the amount of **\$357,840.00** (**\$178,920.00** each for years three and four) of the contract is subject to and contingent upon sufficient funds in the temporary and/or permanent budgets for those years.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.614-082016

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, 2016; 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, 2016, 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 July 27, 2016

| <u>LICENSE NUMBER</u> | <u>LICENSEE AND LOCATION</u> | <u>ADDRESS</u> |
|------------------------------|---|-----------------------|
| 1205-33-031-004 | Kamini, LLC 1695 Oak Tree Road Edison | POCKET |

RESOLUTION R.615-082016

EXPLANATION: A Resolution authorizing and approving the Person-to-Person and Place-to-Place transfer of the Plenary Retail Consumption License held by Edison Land Investment to TopGolf USA Edison, LLC with respect to business premises to be located at Edison Town Square, Route 1 in Edison.

WHEREAS, an application has been filed with the Township of Edison (“Township”) for a Person-to-Person and Place-to-Place transfer of the Plenary Retail Consumption Liquor License, No. 1205-33-015-015 (“License”), issued to Edison Land Investment. (“Seller”) to TopGolf USA Edison, LLC (“Applicant”) to be used at Applicant’s new business location at Edison Town Square, Route 1, Edison; and

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

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

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

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

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby approves the Person-to-Person and Place-to-Place transfer of the License to the Applicant as to business premises now to be located at Edison Town Square, Route 1, effective August 24, 2016.
3. The Township Clerk is hereby directed to endorse the Applicant's current license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to TopGolf USA Edison, LLC at business premises to be located at Edison Town Square, Route 1, Edison, New Jersey."
4. This Resolution shall take effect immediately.

(New License No. 1205-33-015-016)

RESOLUTION R.616-082016

WHEREAS, it is the duty of the Municipal Council to appoint Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Philip C. Taglianetti, Sr. to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Philip C. Taglianetti, Sr., 31 Warwick Road, Edison, NJ 08820 be and he is hereby appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2019.

RESOLUTION R.617-082016

WHEREAS, it is the duty of the Municipal Council to appoint 1st Alternate Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Michael Comba to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Michael Comba, 4 Remington Drive, Edison, NJ 08820 be and he is hereby appointed as 1st Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2016.

RESOLUTION R.618-082016

WHEREAS, it is the duty of the Municipal Council to appoint 2nd Alternate Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Sam Joshi to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Sam Joshi, 15 Carriage Place , Edison, NJ 08820 be and he is hereby appointed as 2nd Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2016.

RESOLUTION R.619-082016

RESOLUTION AWARDING FORTY EIGHT MONTH LEASE FOR A MULTI FUNCTION COPIER TO RICOH AMERICAS CORPORATION FOR THE TOWNSHIP CLERKS OFFICE

WHEREAS, The Township Clerks Office is in need of a multi function machine that copies, prints, scans and faxes; and

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

WHEREAS, the lease shall be forty eight (48) months in the amount of \$395.22 per month, \$4,742.64 per year, not to exceed \$18,970.56 for the term of the lease; and

WHEREAS, this Ricoh MPC4503G includes 36,000 black and white and 6,000 color copies per quarter (black and white overages \$.007 each and color overages \$0.042 each) and all maintenance and supplies except paper; and

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

WHEREAS, the total amount of this contract, not to exceed \$18,970.56, cannot be encumbered at this time; and

WHEREAS, as this is a multi-year Contract, for the additional calendar years it is contingent upon the adoption of temporary and/or permanent budgets for those years; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a forty eight month lease for \$395.22 per month, \$4,742.64 per year, not to exceed \$18,970.56 for the term of the lease and any other necessary documents, with RICOH USA CORPORATION, 19 Chapin Rd., P.O. Box 2008, Pine Brook, NJ 07058as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 40467/G-2075.

RESOLUTION R.620-082016

Explanation: A Resolution authorizing the sale of one (1) Plenary Retail Distribution Liquor License and further authorizing the Township Clerk to advertise for bid proposals for same pursuant to *N.J.S.A. 33:1-*

WHEREAS, there are presently nine (9) plenary retail distribution licenses in the Township of Edison (“Township”) held by licensees; and

WHEREAS, pursuant to *N.J.S.A. 33:1-12.14*, new plenary retail distribution licenses may be issued in a municipality so long as the number of such licenses existing in the municipality is not greater than one for each 7,500 of its population according to the most recent estimates issued by the U.S. Bureau of the Census; and

WHEREAS, the Township has a population of nearly 100,000 people and may issue several new plenary retail distribution licenses; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to issue one (1) new plenary retail distribution license and to sell same at public sale, pursuant to the authority granted under State law and Chapter VI, Section 6-3.5 of the Township Code of Ordinances (“Code”); and

WHEREAS, by Resolution R.496-062016, the Municipal Council determined to offer the opportunity to purchase said license to all qualified parties, in accordance with State law and authorized dates for the public sale with a public opening of bids for August 16, 2016; and

WHEREAS, the one bid that was submitted on August 10, 2016 was subsequently withdrawn on August 11, 2016, which date is prior to the date for the bid opening and therefore, there is a need to authorize a new public sale and schedule new dates for the public sale.

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

1. The Township of Edison hereby determines that it will sell at public sale one (1) new plenary retail distribution license for the sale of alcoholic beverages, in accordance with the procedures set forth at *N.J.S.A. 33:1-19 et seq.*
2. The Township Clerk shall publish a notice of the proposed issuance of the new alcoholic beverage license (“Notice”), indicating that applications therefore will be accepted by the Township at the time, date and place specified in the Notice. The Notice shall state that no applications shall be accepted later than Friday, October 7, 2016 at 1:00 p.m. All other conditions for the submission and acceptance of bids required hereunder shall be stated in the Notice.
3. The Notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart; the second of which shall be at least 30 days prior to the date after which no further applications will be accepted *i.e.* 30 days prior to Friday, October 7, 2016 at 1:00 p.m.
4. Bids must be made utilizing the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, *N.J.S.A. 33:1-1 et seq.* (“ABC Act”), the regulations promulgated thereunder at *N.J.A.C. 13:2-1.1 et seq.* (“ABC Regulations”), and all applicable Township ordinances and this Resolution.
5. All submitted bids must contain a deposit in the form of a certified check for 20% of the bid price. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 30 days of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.
6. The minimum bid price for the new retail distribution license shall be 350,000.
7. All bids must contain a full and complete New Jersey Division of Alcoholic Beverage Control Application for Retail Alcoholic Beverage License long form application, a Certification of Proof of Compliance (available from the Township Clerk) stating that the applicant meets any and all conditions and requirements and knows of no reason why he or she would be disqualified from having an interest in a retail distribution license in New Jersey, and, a separately sealed envelope with the applicant's bid on the Township Proposal Form and the bid deposit (20% of the bid price). The Township Clerk will publicly announce and publish those applicants who presumptively meet the qualifications for bidding, as fixed by law, rules, regulations and resolution, on Friday, October 7, 2016 shortly after 1:00 p.m., being the time after which no applications will be accepted (and being five days prior to the opening of bids, which opening shall occur on Wednesday October 12, 2016 at 1:00 p.m.) No bids will be opened from or on behalf of a bidder who has not been identified as presumptively meeting the pre-qualifications for bidding.

8. The Township reserves the right to reject any and all bids if the highest bid is not accepted.
9. The successful bidder shall tender payment of all required State and local application fees and license fees prior to licensure.
10. The issuance of the license to the successful bidder shall be contingent upon the satisfactory outcome of a municipal background check to investigate the source of funds used to purchase the license, the receipt of a favorable State and/or federal criminal background check; and the compliance with the publication, hearing, and resolution requirement under the ABC Regulations for the issuance of new licenses.
11. The municipality shall only award the license to the person who is the highest qualified bidder. The operation of a restaurant, public accommodation or other facility shall be a condition of licensure.
12. The successful applicant must comply with all ordinances of the Township, State laws and regulations in locating the license.
13. The sale may be postponed or canceled at any time prior to the opening of the bids on Wednesday, October 12, 2016 at 1:00 p.m.

RESOLUTION R.621-082016

EXPLANATION:A resolution waiving Building Permit Fees for the BAPS Shri Swaminarayan Mandir Temple for construction work to be performed at Block 375-HH, Lot 12-J (2500 Woodbridge Avenue, Edison, New Jersey).

WHEREAS, BAPS Shri Swaminarayan Mandir Temple, in connection with certain construction and improvements to be made in the Township of Edison (the "Township") at Block 375-HH, Lot 12-J (2500 Woodbridge Avenue) (the "Project") has requested a reduction of certain construction and building permit fees; and

WHEREAS, the Project requires various construction and building permit fees pursuant to the New Jersey State Uniform Construction Code, *N.J.S.A. 52:27D-119 et seq.* and *N.J.A.C. 5:23-1.1 et seq.*, (the "Building Permit Fees"), of which the Township Code Section 14-1 *et seq.* allows for the waiver of only the Township's portion of Building Permit Fees; and

WHEREAS, the Municipal Council desires to waive fifty percent (50%) of the Building Permit Fees, since the waiver of said Building Permit Fees will serve a public purpose and promote the public health, safety and welfare of the Township, and because BAPS Shri Swaminarayan Mandir Temple is a religious nonprofit organization; and

WHEREAS, BAPS Shri Swaminarayan Mandir Temple shall remain responsible for all other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive the following fees and costs:

1. The Township's portion of the various construction permit and inspection fees pursuant to the New Jersey State Uniform Construction Code, *N.J.S.A. 52:27D-119 et seq.* and *N.J.A.C. 5:23-1.1 et seq.*, and, Township Ordinance Section 14-1, not to include any other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project, are waived.
2. BAPS Shri Swaminarayan Mandir Temple shall remain responsible for all other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project.
3. This Resolution shall take effect immediately.

AYES - Councilmembers Diehl, Gomez, Karabinchak Lankey, Patil, Sendelsky, Shah, and Council President Lombardi

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Piet Pieters, 2 Prospect Avenue, asked for an update on a Sign for Dey Place to say No Trucks and also a sign at the Boat Ramp to stop children from fishing off docks.

Anton Eggert, 141 Pleasant Avenue, regarding Ordinance O.1943, no one to enforce at this time, we should hire someone to handle resident complaints.

Mr. Elliot said we do maintain a data base for all complaints. This allows us to secure more powerful tool.

Mr. Gockel, 77 Safran Avenue, if in the future you plan on paving Safran Avenue, please be aware of the flooding issue between Jefferson and Wolf which should be corrected first.

Mr. Kataryniak, he will look at that area.

Walt Shneer, Park Way, asked if the cameras on Route 1 are working.

Council President Lombardi replied they are shut off by state legislation.

Irene Wall, 205 Fleet Avenue, regarding the House of Worship on Olsen Avenue she has concerns on the over parking.

Maryann Hennessey, 20 Carmello Drive, asked for an update on the air B & B.

Mr. Northgrave replied the state must take action first, we cannot implement a tax.

Fred Wolke, 10 Peake Road, commented on the housing plan we should turn down the ordinance.

John Poyner, 40 Roosevelt Blvd., he announced Clara Barton residents will be conducting a clean up on the ramp on September 10th.

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Shah and duly carried.

Having no further business to discuss, on a motion made by Councilmember Diehl seconded by Councilmember Gomez the meeting was adjourned at 9:08 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk