AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Thursday, October 13, 2016
6:00 p.m.

1. Call to Order and Pledge of Allegiance.

2. Roll Call.

3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

4. **REVIEW OF MINUTES:**
   a. Worksession of March 21, 2016
   b. Combined Meeting of September 28, 2016.

5. **REPORTS FROM ALL COUNCIL COMMITTEES:**

6. **POINTS OF LIGHT**

7. **ADMINISTRATIVE AGENDA:**
   FROM MAYOR THOMAS LANKEY:
   a. Appointment of Christopher Troiano to Environmental Commission.

8. **FROM THE BUSINESS ADMINISTRATOR:**
   a. Resolution rejection the sole bid for Overhead Door Repair/Maintenance (Resolution R.699-102016)
   b. Awarding of Contract/Purchase Order for Emergency Lighting Repair/Replacement and upgrade equipment for current fleet for police and fire Divisions. (Resolution R.700-102016)
   c. Resolution to affirm the Townships of Edison's Civil Rights Policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with municipal employees, officials and volunteers (Resolution R.701-102016)
   d. Resolution authorizing the development and submission of F.M.Kirby Foundation Grant for the Edison Public Library (Resolution R.702-102016)
   e. Resolution authorizing the development and submission of New Jersey Board of Utilities (NJBPU) Office of Clean Energy (OCE) Grant (Resolution R.703-102016)
   f. Resolution authorizing the development and submission of 2016-2017 P.S. E & G Direct Install Program Grant (Resolution R.704-102016)

g. Resolution authorizing the development and submission of 2016-2017 New Jersey Board of Utilities Clean Energy Direct Install Program (Resolution R.705-102016)

h. Resolution increases the budget for environmental services to be paid to Excel Environmental its professional services as Environmental Consultant (Resolution R.737-102016)

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

a. Report of Disbursements through October 6, 2016 (Resolution R.697-102016)

b. Resolution authorizing refund in the amount of $12,330.05 for redemption of tax sale certificates (Resolution R.698-102016)

c. Resolution requesting approval of Items of Revenue and Appropriations per N.J.S.A. 40A:4-87. (Resolution R.724-102016)

d. Resolution requesting Approval of the Best Practices Inventory Questionnaire for Calendar Year 2016 (Resolution R.725-102016)

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

a. This Ordinance Adopts the "Our Lady of Peace Redevelopment Plan" for Block 748, Lot 36 (aka 635 Amboy Avenue) Pursuant to the Local Redevelopment and Housing Law.(Ordinance O.1945-2016)\

b. An Ordinance amending the Township's Affordable Housing Development fee Ordinance in its entirety (Ordinance O.1949-2016)

c. Resolution authorizing additional funds to Apruzzese, McDermott, Mastro & Murphy, P.C. for special labor counsel services in an amount not to exceed $25,000.00 (Resolution R.738-102016)

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

a. Resolution authorizing development and submission to 2016 Middlesex County Open Space Trust Fund for Surdna Foundation Grant (Resolution R.706-102016).

b. Resolutions authorizing refund of Construction Fee Permits (Resolution R.707-102016 and R.708-102016)

c. Resolution authorizing refund of Developers Escrow Fees. (Resolution R.709-102016)

d. Resolutions releasing of Tree Maintenance Bonds (Resolutions R.727-102016 through R.731-102016)

e. Resolutions releasing of Performance Bond and Cash Performance Bonds (Resolution R.732-102016 through R.735-102016)

f. Resolution releasing Engineering Inspection Escrows (Resolution R.736-102016)

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

a. Resolutions releasing Street Opening escrows (Resolution R.710-102016 through R.715-102016)

b. Award of Contract for Public Bid No. 16-08-29 Spring/Suspension Repair/Replace/Rebuild (Resolution R.726-102016)

13. **FROM THE CHIEF OF FIRE:**
   a. Award of Contracts for Public Bid No. 16-01-29 Uniforms and Equipment - Division of Fire/Fire Prevention (Resolutions R.716-102016 through R.718-2016)
   b. Award of Contract for Public Bid No. 16-06-25 Turnout Gear Repair, Care and Maintenance (Resolution R.719-102016)

14. **FROM THE CHIEF OF POLICE:**
   a. Resolution authorizing sale of Abandoned Vehicles (Resolution R.720-102016)
   b. Awarding of Contract/Purchase order for BCI Equipment (Resolution R.721-102016)
   c. Resolution authorizing the Township to purchase Police Vehicles from Beyer Ford through Cranford Police Cooperative Pricing System (Resolution R.722-102016)

15. **FROM THE TOWNSHIP CLERK:**
   a. Resolution authorizing a permit fee waiver (Resolution R.723-102016)

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

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

O.1946-2016 THIS ORDINANCE ADOPTS THE "225 RARITAN CENTER PARKWAY REDEVELOPMENT PLAN"FOR BLOCK 390.DD, LOT 8.B (aka 225 Raritan Center Parkway) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

O.1947-2016 THIS ORDINANCE ADOPTS THE "1015 ROUTE 1 REDEVELOPMENT PLAN" FOR BLOCK 198.L, LOT 39 (aka Clayton Block) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

O.1948-2016 BOND ORDINANCE FOR VARIOUS CAPITAL IMPROVEMENTS APPROPRIATING $15,000,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

18. **COMMUNICATIONS:**
   a. Letter received by mail from Phyllis Muska regarding parking issues.

19. **DISCUSSION ITEMS:**

Council President Lombardi
None

Councilmember Coyle
None

Councilmember Diehl
None

Councilmember Gomez
None

Councilmember Patil
None

Councilmember Sendelsky
None

Councilmember Shah
None

20. **APPROVAL OF MINUTES:**
a. Worksession of March 21, 2016
b. Combined Meeting of September 28, 2016.

21. **COUNCIL PRESIDENT'S REMARKS**

22. **ADMINISTRATIVE AGENDA:**
FROM MAYOR THOMAS LANKEY:
a. Appointment of Christopher Troiano to Environmental Commission.

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

O.1946-2016 THIS ORDINANCE ADOPTS THE "225 RARITAN CENTER PARKWAY REDEVELOPMENT PLAN"FOR BLOCK 390.DD, LOT 8.B (aka 225 Raritan Center Parkway) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

O.1947-2016 THIS ORDINANCE ADOPTS THE "1015 ROUTE 1 REDEVELOPMENT PLAN" FOR BLOCK 198.L, LOT 39 (aka Clayton Block) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

O.1948-2016 BOND ORDINANCE FOR VARIOUS CAPITAL IMPROVEMENTS APPROPRIATING $15,000,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

24. **NEW BUSINESS:**
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR THURSDAY, OCTOBER 26, 2016

O.1945-2016 THIS ORDINANCE ADOPTS THE "OUR LADY OF PEACE REDEVELOPMENT PLAN" FOR BLOCK 748, LOT 36 (aka 635 Amboy Avenue) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

O.1949-2016 AN ORDINANCE AMENDING THE TOWNSHIP'S AFFORDABLE HOUSING DEVELOPMENT FEE ORDINANCE IN ITS ENTIRETY.

25. **PUBLIC COMMENT ON THE RESOLUTIONS**

26. **PROPOSED RESOLUTIONS**
Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

R.697-102016 Resolution approving disbursements for the period ending October 6, 2016.
R.698-102016 Resolution authorizing refund in the amount of $12,330.05 for redemption of tax sale certificates.
R.699-102016 Resolution rejection the sole bid for Overhead Door Repair/Maintenance to New Jersey Door Works, LLC.
R.700-102016 Awarding of Contract/Purchase Order for Emergency Lighting Repair/Replacement and upgrade equipment for current fleet for police

and fire Divisions to East Coast Emergency Lighting, Inc. in an amount not to exceed $100,000.00.

R.701-102016 Resolution to affirm the Townships of Edison's Civil Rights Policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with municipal employees, officials and volunteers.

R.702-102016 Resolution authorizing the development and submission of F.M.Kirby Foundation Grant for the Edison Public Library .

R.703-102016 Resolution authorizing the development and submission of New Jersey Board of Utilities (NJBPU) Office of Clean Energy (OCE) Grant.

R.704-102016 Resolution authorizing the development and submission of 2016-2017 P.S. E & G Direct Install Program Grant.

R.705-102016 Resolution authorizing the development and submission of 2016-2017 New Jersey Board of Utilities Clean Energy Direct Install Program.

R.706-102016 Resolution authorizing development and submission to 2016 Middlesex County Open Space Trust Fund for Surdna Foundation Grant.

R.707-102016 Resolution authorizing refund of Construction Fee Permit to Alliance Building Contractors in the amount of $312.00.

R.708-102016 Resolution provides refund of the Construction Fee Permit to AAA All Services, Inc. in the amount of $95.00.

R.709-102016 Resolution authorizing refund of Developers Escrow Fees to Seagis Edison 2170 LLC for Application #P10-2014 in the amount of $3,401.51.

R.710-102016 Resolution releasing Street Opening escrow to John Burton Plumbing & Heating, Inc. for Permit # 1009 in the amount of $480.00.

R.711-102016 Resolution releasing Street Opening escrow to Taylor Wiseman & Taylor for Permit #20037 in the amount of $100.00.

R.712-102016 Resolution releasing Street Opening escrow to CEA Home Improvements for Permit # 0879 in the amount of $480.00.

R.713-102016 Resolution releasing Street Opening escrow to Taylor Wiseman & Taylor for Permit #20050 in the amount of $100.00.

R.714-102016 Resolution releasing Street Opening escrow to Taylor Wiseman & Taylor for Permit #20036 in the amount of $100.00

R.715-102016 Resolution releasing Street Opening escrow to Taylor Wiseman & Taylor for Permit #20035 in the amount of $100.00

R.716-102016 Award of Contract for Public Bid No. 16-01-29 Uniforms and Equipment Division of Fire/Fire Prevention to Fit-Rite Uniform Co. Inc. in an amount not to exceed $60,000.00.

R.717-102016 Award of Contract for Public Bid No. 16-01-29 Uniforms and Equipment Division of Fire/Fire Prevention to Continental Fire & Safety Inc. in an amount not to exceed $30,000.00.

R.718-102016 Award of Contract for Public Bid No. 16-01-29 Uniforms and Equipment Division of Fire/Fire Prevention to Trilex, PPE in an amount not to exceed $150,000.00.

R.719-102016 Award of Contract for Public Bid No. 16-06-25 Turnout Gear Repair, Care and Maintenance to Broadway Minerva Cleaners d/b/a Minerva Bunker Gear Cleaners in an amount not to exceed $30,000.00.

R.720-102016 Resolution authorizing sale of Abandoned Vehicles.

R.721-102016 Awarding of Contract/Purchase order for BCI Equipment to Adorama, Inc. in the amount of $6,000.00

R.722-102016 Resolution authorizing the Township to purchase Police Vehicles from Beyer Ford through Cranford Police Cooperative Pricing System in the amount of $177,234.00.

R.723-102016 Resolution authorizing a fee waiver permit for Bishop Ahr High School HVAC.

R.724-102016 Resolution requesting approval of Items of Revenue and Appropriations per N.J.S.A. 40A:4-87.

R.725-102016 Resolution requesting Approval of the Best Practices Inventory Questionnaire for Calendar Year 2016.

R.726-102016 Award of Contract for Public Bid No. 16-08-29 Spring/Suspension Repair/Replace/Rebuild to Newark Spring and Suspension, LLC in an amount not to exceed $25,000.00

R.727-102016 Release of Tree Maintenance Bond to Edgewood Estates for Permit #07-124.

R.728-102016 Release of Tree Maintenance Bonds for Middlesex Logistics Center – Mill Road, Block 398, Lot 11 Tree Permit #12-091.

R.729-102016 Release of Tree Maintenance Bond for Builders General Supply Co. for Block 426, Lot 1-P Tree Permit #07-088.

R.730-102016 Release of Tree Maintenance Bond for Lurdes Luis, Blk 1023, Lot 1 for Tree Permit #11-111.

R.731-102016 Release of Tree Maintenance Bond for Arnulfo Vidal, 38 Union Avenue, Blk 652, Lot 1, Tree Permit #10-002.

R.732-102016 Release of Tree Maintenance Bond to Plainfield Country Club for Block 415, Lots 1,2,3,7A, 9C, 9H-1, permit #11-118.

R.733-102016 Release of Bond and Cash Performance Bond to Edison AMQSR, Inc. for Application Z07-08/09, Acct. 7760013391.

R.734-102016 Release of Tree Maintenance Bond to Nettles, Edison, Blk. 256, Lot 9-33, Tree Permit #08-124.

R.735-102016 Release of Cash Performance Bond to Edgewood Estates Builders, Inc. for Blk.557-B, Lots 43.03 & 43.04 for Account #7760013334.

R.736-102016 Resolution releasing Maintenance Bond to Plainfield Country Club, Application #P25-09/10.

R.737-102016 Resolution increases the budget for environmental services to be paid to Excel Environmental for its professional services as Environmental Consultant in an amount not to exceed $25,000.00.

R.738-102016 Resolution authorizing additional funds to Apruzzese, McDermott, Mastro & Murphy, P.C. for special labor counsel services in an amount not to exceed $25,000.00.

27. **COMMUNICATIONS:**

a. Letter received by mail from Phyllis Muska regarding parking issues.

28. **ORAL PETITIONS AND REMARKS**

29. **ADJOURNMENT**

O.1946-2016

EXPLANATION: An Ordinance adopting the "225 Raritan Center Parkway Redevelopment Plan," for the property identified on the Township Tax Maps as Block 390.DD, Lot 8.B, also known as 225 Raritan Center Parkway in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*.

ORDINANCE

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, pursuant to a resolution adopted on December 9, 2015, the municipal council (the "Municipal Council") of the Township of Edison (the "Township") authorized the Township planning board (the "Planning Board") to determine if Block 390.DD, Lot 8B on the tax map of the Township (aka 225 Raritan Center Parkway) (the "Study Area") met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, Heyer, Gruel & Associates (the "Planning Consultant"), prepared a preliminary investigation of the Study Area (the "Preliminary Investigation Study") which concluded that the Study Area met the statutory requirements to be determined an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, based upon the Preliminary Investigation Study, the Planning Board adopted a resolution on June 14, 2016 determining, among other things, to recommend to the Municipal Council that the Study Area be designated as an "area in need of redevelopment"; and

WHEREAS, on June 22, 2016, the Municipal Council, following the determination of the Planning Board, adopted Resolution R. 477-062016 designating the Study Area as an "area in need of redevelopment" pursuant to the Act (the "Redevelopment Area"); and

WHEREAS, on September 19, 2016, the Planning Board favorably recommended the redevelopment plan prepared by the Planning Consultant entitled the "225 Raritan Center Redevelopment Plan" (the "Redevelopment Plan") and unanimously voted to approve the Redevelopment Plan; and

WHEREAS, upon review of the Planning Board's recommendation of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan (in the form attached hereto as *Exhibit A*), to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township's redevelopment objectives.

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

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

Section 2. The Redevelopment Plan, attached hereto as *Exhibit A*, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7.

Section 3. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 4. This Ordinance shall take effect in accordance with all applicable laws.

O.1947-2016

EXPLANATION: An Ordinance adopting the "1015 Route 1 Redevelopment Plan," for the property identified on the Township Tax Maps as Block 198.L, Lot 39, also known as 1015 Route 1 in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*.

ORDINANCE

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, pursuant to a resolution adopted on March 7, 2016, the municipal council (the "Municipal Council") of the Township of Edison (the "Township") authorized the Township planning board (the "Planning Board") to determine if Block 198.L, Lot 39 on the tax map of the Township (aka 1015 Route 1) (the "Study Area") met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, Heyer, Gruel & Associates (the "Planning Consultant"), prepared a preliminary investigation of the Study Area (the "Preliminary Investigation Study") which concluded that the Study Area met the statutory requirements to be determined an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, based upon the Preliminary Investigation Study, the Planning Board adopted a resolution on May 5, 2016, determining, among other things, to recommend to the Municipal Council that the Study Area be designated as an "area in need of redevelopment"; and

WHEREAS, on May 11, 2016, the Municipal Council, following the determination of the Planning Board, adopted Resolution R. 349-052016 designating the Study Area as an "area in need of redevelopment" pursuant to the Act (the "Redevelopment Area"); and

WHEREAS, on September 20, 2016, the Planning Board favorably recommended the redevelopment plan prepared by the Planning Consultant entitled the "1015 Route 1 Redevelopment Plan" (the "Redevelopment Plan") and unanimously voted to approve the Redevelopment Plan; and

WHEREAS, upon review of the Planning Board's recommendation of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan (in the form attached hereto as *Exhibit A*), to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township's redevelopment objectives.

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

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

Section 2. The Redevelopment Plan, attached hereto as *Exhibit A*, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7.

Section 3. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 4. This Ordinance shall take effect in accordance with all applicable laws.

O.1948-2016

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING $15,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $14,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $15,000,000, and further including the aggregate sum of $750,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of $14,250,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated

maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose		Appropriation & Estimated Cost		Estimated Maximum Amount of Bonds & Notes		Period of Usefulness
a) The acquisition of self-contained breathing apparatus, self-contained breathing apparatus bottles, self-contained breathing apparatus masks/bags, a fire pumper and emergency generators, including all related costs and expenditures incidental thereto.		$1,050,000		$997,500		10 years
b) Upgrades to lighting, courts and fields, including all work and materials necessary therefor and incidental thereto and further including all work and materials necessary therefor and incidental thereto.		$500,000		$475,000		15 years
c) Paving and reconstruction of various streets, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.		$6,000,000		$5,700,000		10 years
d) Upgrades to radios, upgrades to Sally Port and building security and the acquisition of mobile and portable radios, computers, furniture, ballistic shields, external defibrillators, mobile data computers/digital in car videos, and a pick-up truck, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.		$2,500,000		$2,375,000		5 years
e) The acquisition of equipment for the Department of Public Works, including all related costs and expenditures incidental thereto.		$1,000,000		$950,000		15 years
f) Various projects, improvements and repairs to municipally owned						

buildings throughout the Township, including all work and materials necessary therefor and incidental thereto.		$2,000,000		$1,900,000		15 years
g) The acquisition of computer equipment, including all related costs and expenditures incidental thereto.		$200,000		$190,000		5 years
h) The acquisition of various Township (non-passenger) vehicles, including all related costs and expenditures incidental thereto.		$250,000		$237,500		5 years
i) Preliminary, planning and engineering expenses in connection with various road and drainage projects throughout the Township, including all related costs and expenditures incidental thereto.		$1,500,000		$1,425,000		10 years
TOTAL:		$15,000,000		$14,250,000		

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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

pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.18 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $14,250,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $1,050,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

O.1945-2016

EXPLANATION: An Ordinance adopting the "Our Lady of Peace Redevelopment Plan," for the property identified on the Township Tax Maps as Block 748, Lot 36 and also known as 635 Amboy Avenue in the Township, pursuant to the Local Redevelopment and Housing Law.

ORDINANCE

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

WHEREAS, pursuant to a resolution adopted on January 13, 2016, the municipal council (the "Municipal Council") of the Township of Edison (the "Township") authorized the Township planning board (the "Planning Board") to determine if Block 748, Lot 36 on the tax map of the Township (aka 635 Amboy Avenue) (the "Study Area") met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, Heyer, Gruel & Associates (the "Planning Consultant"), prepared a preliminary investigation of the Study Area (the "Preliminary Investigation Study") which concluded that the Study Area met the statutory requirements to be determined an "area in need of redevelopment" pursuant to the Act; and

WHEREAS, based upon the Preliminary Investigation Study, the Planning Board adopted a resolution on May 24, 2016 determining, among other things, to recommend to the Municipal Council that the Study Area be designated as an "area in need of redevelopment"; and

WHEREAS, on June 8, 2016, the Municipal Council, following the determination of the Planning Board, adopted Resolution R. 425-062016, designating the Study Area as an "area in need of redevelopment" pursuant to the Act (the "Redevelopment Area"); and

WHEREAS, on August 16, 2016, in a memorandum from the Planning Board to the Township Clerk, the Planning Board favorably recommended the redevelopment plan prepared by the Planning Consultant entitled the "Our Lady of Peace Redevelopment Plan" (the "Redevelopment Plan") and unanimously voted to approve the Redevelopment Plan; and

WHEREAS, upon review of the Planning Board's recommendation of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan (in the form attached hereto as *Exhibit A*), to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township's redevelopment objectives.

NOW THEREFORE, BE IT ORDAINED 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. The Redevelopment Plan, attached hereto as *Exhibit A*, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7.

Section 3. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 4. This Ordinance shall take effect in accordance with all applicable laws.

O.1949-2016

EXPLANATION: An Ordinance amending the Township's Affordable Housing Development Fee Ordinance, in its entirety.

ORDINANCE

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

WHEREAS, there is a need to amend the Township Affordable Housing Development Fee Ordinance, codified at Chapter 30, Subchapter 1 (the "**Development Fee Ordinance**"), in the Township's Code of General Ordinances (the "**Code**") to reflect certain statutory changes; and

WHEREAS, the municipal council of the Township (the "**Township Council**") has determined to replace Chapter 30, Subchapter 1 of the Development Fee Ordinance in its entirety,

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

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

2. The Township Council hereby amends Chapter 30, Subchapter 1 of the Code, in its entirety, to read as follows:

30-1 AFFORDABLE HOUSING DEVELOPMENT FEES.

30-1.1 Findings and Purpose.

a. In Holmdel Builder's Ass'n v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.

b. Pursuant to P.L.2008, c.46 Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or a Court of competent jurisdiction and have an approved spending plan may retain fees collected from non-residential development.

c. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance with P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's prior round rules on development fees, codified at N.J.A.C. 5:93-8. and P.L.2008, c.46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7).

30-1.2 Basic Requirements.

a. This ordinance shall not be effective until approved by the Court.

b. The Township of Edison shall not spend development fees until the Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:93-5.1(c).

30-1.3 Definitions

The following terms, as used in this ordinance, shall have the following meanings:

"**Affordable housing development**" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

"**COAH"** or the "**Council**" means the New Jersey Council on Affordable Housing established under the Fair Housing Act.

"**Development fee**" means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:93-8.

"**Developer**" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

"**Equalized assessed value**" means the assessed value of a property divided by the current average ration of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5 and 6 of P.L.1973, c.123 (C. 54:1-35a through C. 54:1-35c).

"**Green building strategies**" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

30-1.4 Residential Development Fees

a. Imposed fees

i. Within all zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one percent of the equalized assessed value for residential development provided no increased density is permitted.

ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six (6%) percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

b. Eligible exactions, ineligible exactions and exemptions for residential development

i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning

and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved or replaced structure as compared to the previous structure.

iv. Homes replaced as a result of a natural disaster (such as a fire or flood) shall be exempt from the payment of a development fee.

30.1-5 Non-residential Development fees

a. Imposed fees

i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted below, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

ii. Non-residential developers, except for developers of the types of development specifically exempted below, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b. Eligible exactions, ineligible exactions and exemptions for non-residential development

i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.

ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.

iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.

iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Township of Edison as a lien against the real property of the owner.

30-1.6 Collection Procedures

a. Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.

b. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c. The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.

d. Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e. The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f. Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

g. Should the Township of Edison fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

h. Except as provided in Section 30.1-5a.iii. above, fifty (50) percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

i. Appeal of development fees

i. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Township of Edison. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

ii. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Township of Edison. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

30-1.7 Affordable Housing Trust Fund

a. There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Township of Edison Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

b. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

i. payments in lieu of on-site construction of affordable units;
ii. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
iii. rental income from municipally operated units;
iv. repayments from affordable housing program loans;
v. recapture funds;
vi. proceeds from the sale of affordable units; and
vii. any other funds collected in connection with the Township of Edison's affordable housing program.

c. Within seven days from the opening of the trust fund account, the Township of Edison shall provide the State of New Jersey, Department of Community Affairs, Division of Local Government Services with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and NJDCA-LGS to permit NJDCA-LGS to direct the disbursement of the funds as provided for in N.J.A.C. 5:93-8.15, 8.18 and 8.19. This requirement shall be deemed to have been satisfied by a previously executed three-party escrow agreement with COAH, provided the bank remains the same as in the original agreement.

d. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by the Court..

30-1.8 Use of funds

a. The expenditure of all funds shall conform to a spending plan approved by the Court. Funds deposited in the housing trust fund may be used for any activity approved by the Court to address the Township of Edison's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:93-8.16 and specified in the approved spending plan.

b. Funds shall not be expended to reimburse the Township of Edison for past housing activities.

c. At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d. The Township of Edison may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance.

e. No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the reporting and monitoring requirements that have been approved by the Court. Legal or other fees related to litigation opposing affordable housing sites or objecting to or appealing Court's approval of Edison's Housing Element and Fair Share Plan are not eligible uses of the affordable housing trust fund.

30-1.9 Monitoring

a. On an annual basis commencing with the first anniversary of the entry of the Order granting a Final Judgment of Compliance and Repose to Edison, the Township of Edison shall report all activity in connection with its Affordable Housing Trust Fund to the New Jersey Department of Community Affairs (either the Division of Local Government Services or the Council on Affordable Housing (COAH), whichever entity is designated by the State of New Jersey), with a copy provided to Fair Share Housing Center and to the Intervenors/Defendants IMO the Application of the Township of Edison for a Final Judgment of Compliance and Repose of its Obligations Under the Fair Housing Act and Approval of its Amended Spending Plan, Docket No.: MID-L-3944-15, and with a posting of same on the municipal website, using forms previously developed for this purpose by COAH. The reporting shall include all sources and amounts collected/earned and the amounts and purposes for which funds have been expended.

30-1.10 Ongoing collection of fees

a. The ability for the Township of Edison to impose, collect and expend development fees shall expire with its Judgment of Compliance and Repose unless the Township of Edison has filed an adopted Housing Element and Fair Share Plan with the Court or with COAH or its successor agency designated by the State of New Jersey, has petitioned for a Judgment of Compliance and Repose or substantive certification, and has received the Court's or COAH's approval of its development fee ordinance. If the Township of Edison fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance and Repose, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New

Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320). The Township of Edison shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance and Repose, nor shall the Township of Edison retroactively impose a development fee on such a development. The Township of Edison shall not expend development fees after the expiration of its Judgment of Compliance and Repose.

3. It is the intent of the Township Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code.

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

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

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

RESOLUTION R.697-102016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING OCTOBER 6, 2016

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through October 6, 2016.

FUND	AMOUNT
Current	$15,049,494.51
Affordable Housing	7,018.75
Capital	270,894.65
Cash Performance	258,904.80
CDBG	0.00
Developers Escrow	0.00
Dog (Animal Control)	479.80
Federal Forfeited	5,436.92
Grant Funds	574.56
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	468,072.27
Sanitation Fund	98,332.05
Sewer Utility	49,267.72
Tax Sale Redemption	316,418.43
Tree Fund	0.00
Tree Planting	0.00
Trust	151,973.64
TOTAL	$16,676,868.10

/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.698-102016

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 **$12,330.05.**

RESOLUTION R.699-102016

RESOLUTION REJECTING THE SOLE BID FOR OVERHEAD DOOR REPAIR/MAINTENANCE

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on August 15, 2016 for Public Bid No. 16-08-31-Overhead Door Repair/Maintenance with a bid opening date of August 30, 2016; and

WHEREAS, there was one bidder, NEW JERSEY DOOR WORKS, LLC, 689 Ramsey Ave., Hillside, NJ 07205; and

WHEREAS, the proposal submitted by NEW JERSEY DOOR WORKS, LLC requires two service technicians at all service calls which is not currently the practice at all calls; and

WHEREAS, the hourly rate submitted reflects this price and the per hour substantially exceeds our cost estimates; and

WHEREAS, The Township of Edison desires to reject the sole bid and rebid this service; 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, County of Middlesex, State of New Jersey as follows:

1. The sole bid for Public Bid No. 16-08-31-Overhead Door Repair/Maintenance is hereby rejected.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.700-102016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EAST COAST EMERGENCY LIGHTING TO REPAIR/REPLACE AND UPGRADE EQUIPMENT IN CURRENT FLEET FOR POLICE AND FIRE DIVISIONS

WHEREAS, there is a need to repair/replace and upgrade equipment in current fleet for Police and Fire divisions; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Drive, Millstone Twp, NJ 08535, has been awarded various state contracts for emergency products and installation thereof under State Contract T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES and under this state contract the Township shall purchase as follows; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81327 - ProGard Products - in the amount not to exceed **$20,000.00**; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81335 - Troy Products - in the amount not to exceed **$2,500.00**; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81336 - Whelen Products - in the amount not to exceed **$40,000.00**; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81338 – Installation - in the amount not to exceed **$20,500.00**; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., submitted the sole quote for HAVIS brand in the amount not to exceed of **$17,000.00**; and

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

WHEREAS, the total amount of this contract, not to exceed **$100,000.00**, 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)).

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed **$100,000.00** and any other necessary documents, with **EAST COAST EMERGENCY LIGHTING, INC.,** 100 Meco Drive, Millstone, NJ 08535, 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 Contracts, No. 81327, 81335, 81336, and 81338 under T-0106.

RESOLUTION R.701-102016

A RESOLUTION TO AFFIRM THE TOWNSHIP OF EDISON'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Edison to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Edison has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Municipal Council of the Township of Edison that:

Section 1: No official, employee, appointee or volunteer of the Township of Edison by whatever title known, or any entity that is in any way a part of the Township of Edison shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Edison's business or using the facilities or property of the Township of Edison.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Edison to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This

communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

RESOLUTION R.702-102016

WHEREAS, the Edison Public Library was originally established during 1926 as the Raritan Township Free Public Library Association; and

WHEREAS, the Edison Public Library has served the research, study, information, cultural, entertainment and creative needs of the citizenry of the Township of Edison over the past 90 years and continues to do so; and

WHEREAS, the **F.M Kirby Foundation** has grant funds available for library-related facility, material, equipment and associated costs in its established service areas; and

WHEREAS, the Edison Public Library intends to apply for grant funding for a maximum request up to $100,000.00 from the **F.M. Kirby Foundation**, for capital repairs and renovations to its facilities as it will help to further strengthen its mission, focus and vision through effective and diverse library services, programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Public Library to apply for grant funding from the **F.M. Kirby Foundation**; and

` **WHEREAS**, the **Edison Public Library** will utilize all grant funds awarded to it by the **F.M. Kirby Foundation**, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of Wednesday, October 13, 2016.

RESOLUTION R.703-102016

WHEREAS, the New Jersey Board of Public Utilities (NJBPU), Office of Clean Energy (OCE) administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

WHEREAS, the Governing Body of the Township of Edison has decided to apply to participate in the Local Government Energy Audit Program (LGEAP); and,

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Township of Edison, are served by a New Jersey regulated public utility, and that the Township of Edison has not already reserved $100,000 in the Program this year as of this application; and,

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

WHEREAS, upon acceptance into the Program, the Township of Edison will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors and submit the NJBPU OCE LGEAP Firm Selection Form; and,

WHEREAS, the Township of Edison understands that energy audit work cannot proceed until a NJBPU OCE LGEAP Application Approval Notice is received from the Program; and,

WHEREAS, the Township of Edison has passed a resolution joining the following state or national organization(s) supporting energy-efficiency, greenhouse gas reduction, sustainable/green design or high-performance buildings: Sustainable Jersey; and,

WHEREAS, no matching funds are required in order for the Township of Edison, to apply for grant funding of an amount not to exceed $100,000 from NJBPU OCE LGEAP.

WHEREAS, completion of the NJBPU OCE LGEA will help to assess the prior energy-conservation efforts and initiatives of the Township of Edison since a private energy audit completed during 2007, as well as identify other electable energy- and related cost saving actions; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said NJBPU OCE LGEAP application, at a regularly-scheduled, combined Work Session/Public Meeting on the evening of Wednesday, October 13, 2016.

RESOLUTION R.704-102016

WHEREAS, the PSE&G has opportunities available for subsidies under its 2016-2017 Direct Install Program (DIP) for energy-saving, municipal, utility account projects with peak demands less than 200kW during any month over a one-year period; and

WHEREAS, an application shall be developed and submitted to the 2016-2017 PSE&G DIP to support the assessment, review, design, purchase and installation of energy-saving retrofits at eligible Township of Edison Municipal Facilities and will help to save energy resources, decrease local operating costs and reduce greenhouse gasses; and

WHEREAS, the Township of Edison Municipal Facilities are in need of having such work performed, but lacks the total funds to do so; and

WHEREAS, participation in the 2016-2017 PSE&G DIP qualifies as an eligible Sustainable Jersey activity, which shall earn the Township of Edison points toward its 2017 Sustainable Jersey recertification; and

WHEREAS, for a maximum annual entity project(s) amount of $357,000 a 70% in-kind subsidy of $250,000 is available from the 2016-2017 PSE&G DIP, with a requisite 30% ($107,000) cash match to be provided by local government applicants or amortized at 0% over a three-year period; and

WHEREAS, for the 0% amortization of the requisite PSE&G DIP 30% catch match, PSEG shall acquire any subsequently-earned EREC payments for qualified, energy-saving retrofit projects; and

WHEREAS, the Township of Edison had previously utilized PSE&G DIP, resulting in thousands of dollars of combined energy costs savings, decreased operating costs and municipal carbon footprint; and

WHEREAS, the 2016-2017 PSE&G DIP operates through an established, pre-qualified set of participating contractors, who perform start-to-finish program services, including the initial energy assessment to identify equipment that is not energy-efficient to be replaced, obtaining Program approval of chosen improvements and equipment replacement;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex, State of New Jersey, does hereby approve the development and submission of said grant application, at a regularly-scheduled, combined Work Session and Public Meeting on October 13, 2016.

BE IT FURTHER RESOLVED, that such in-kind subsidy funds that are received as a product of this application to the 2016-2017 PSE&G Direct Install Program (DIP), for a maximum 70% in-kind subsidy award of $250,000, will be accepted, administered, documented and disbursed in accordance with all applicable local, county, state and federal regulations and statutes.

RESOLUTION R.705-102016

WHEREAS, the New Jersey Board of Public Utilities (NJBPU) has opportunities available for grants subsidies under its 2016-2017 Clean Energy (CE) Direct Install Program (DIP) for energy-saving, municipal projects with peak demands less than 200kW during any month over a one-year period; and

WHEREAS, an application shall be developed and submitted to the 2016-2017 NJBPU CE DIP to support the assessment, review, design, purchase and installation of energy-saving retrofits at eligible Township of Edison Municipal Facilities and will help to save energy resources, decrease local operating costs and reduce greenhouse gasses; and

WHEREAS, the Township of Edison Municipal Facilities are in need of having such work performed, but lacks the total funds to do so; and

WHEREAS, participation in the 2016-2017 NJBPU CE DIP qualifies as an eligible Sustainable Jersey activity, which shall earn the Township of Edison points toward its 2017 Sustainable Jersey recertification; and

WHEREAS, for a maximum annual entity project(s) amount of $357,000 a 70% in-kind subsidy of $250,000 is available from the 2016-2017 NJBPU CE DIP, with a requisite 30% ($107,000) cash match to be provided by local government applicants, as well as eligibility for subsequent EREC payments for reduced demand on local and regional energy grids as result of respectively completed energy retrofit projects; and

WHEREAS, the Township of Edison had previously utilized NJBPU DIP, resulting in thousands of dollars of combined energy costs savings, decreased operating costs and municipal carbon footprint; and

WHEREAS, the 2016-2017 NJBPU Clean Energy Direct Install Program operates through an established, pre-qualified set of participating contractors, who perform start-to-finish program services, including the initial energy assessment to identify equipment that is not energy-efficient to be replaced, obtaining Program approval of chosen improvements and equipment replacement; and

WHEREAS, pursuant to 2016-2017 NJBPU Clean Energy Direct Install Program guidelines, only certified contractors are qualified to perform work under this program; and

WHEREAS, Tri-State Light and Energy is a qualified contractor, certified to participate in the NJBPU Clean Energy Direct Install Program and holds a NJ State Cooperative Purchasing Contract; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex, State of New Jersey, does hereby approve the development and submission of said grant application, at a regularly-scheduled, combined Work Session and Public Meeting on October 13, 2016.

BE IT FURTHER RESOLVED, that such in-kind subsidy funds that are received as a product of this application to the New Jersey Board of Public Utilities (NJBPU) 2016-2017 Clean Energy (CE) Direct Install Program (DIP), for a maximum 70% in-kind subsidy award of $250,000, will be accepted, administered, documented and disbursed in accordance with all applicable local, county, state and federal regulations and statutes.

RESOLUTION R.706-102016

WHEREAS, as formerly approved, the *Edison Township Environmental Commission (ETEC)* developed and submitted an application to the *2016 Middlesex County Open Space Trust Fund* (MCOSTF) for grant funds to support the creation of an ADA Parking Lot and ADA Path at Dudash Park to support increased access to the Middlesex Greenway by challenged individuals and the general public; and

WHEREAS, the *2016 MCOSTF* recently awarded a grant of $24,000.00 to ETEC to support the costs to create the ETEC Dudash Park Middlesex Greenway Access Enhancement Project; and

WHEREAS, the total estimated cost of the ETEC Dudash Park Middlesex Greenway Access Enhancement Project is approximately $48,000.00; and

WHEREAS, the ***Surdna Foundation*** has grants available for eligible projects involving Sustainable Environments which can provide funding to support the costs for such activities; and

WHEREAS, no cash match is required in order to apply for grant funding from the ***Surdna Foundation*** for eligible projects; and

WHEREAS, an IRS-certified, not-for-profit, tax-exempt, 501(c)3 is required to develop and submit the initial, requisite, Letter of Inquiry, in order to be invited to submit a full application for approved project funding; and

WHEREAS, in partnership with the Edison Greenways Group, Inc. (EGG), ETEC intends to develop and submit a viable application to the ***Surdna Foundation f***or 50% ($24,000.00) of the estimated costs of the ETEC Dudash Park Middlesex Greenway Access Enhancement Project; and

WHEREAS, ETEC in partnership with EGG will utilize all grant funds awarded to it by the ***Surdna Foundation*** as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said ***Surdna Foundation*** Letter of Inquiry and subsequent grant application by ETEC in partnership with EGG, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of **Wednesday, October 13, 2016**.

EXPLANATION: This resolution provides partial refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The wrong cost of job was provided.

RESOLUTION R.707-102016

WHEREAS, on July 6, 2016, a Construction Permit fee, check #1159, permit #2016-2663, was posted in the total amount of $1219.00 by the contractor, Alliance Building Contractors, having offices at 122 Bay Ave., Villas, NJ 08251 ; and

WHEREAS, the application was submitted for Siding at 49 Goodluck Street, Edison, NJ 08817, by the hired contractor; Alliance Building Contractors

WHEREAS, appropriate documents have been submitted to the Township indicating that the cost of work was miscalculated therefore appropriate that a portion of the municipal permit fee in the amount of $312.00, be refunded to the contractor Alliance Building Contractors; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-2663, in the amount of $312.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed $312.00 on construction permit fees posted by Alliance Building Contractors for 49 Goodluck St. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of $312.00 from the Refund of Revenue Fund to the Contractor, Alliance Building Contractors, having offices at 122 Bay Ave., Villas, NJ 08251.

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. There was a duplicate permit submitted.

RESOLUTION R.708-102016

WHEREAS, on March 8, 2016, a Construction Permit fee, check #5766, permit #2016-0765, was posted in the total amount of $96.00 by the contractor, AAA All Service, Inc., having offices at 1606 Route 27, Edison, NJ 08817 ; and

WHEREAS, the application was submitted for a Hot water heater at 53 Fayette St. Edison, NJ 08817, by the hired contractor; AAA All Service Inc.

WHEREAS, appropriate documents have been submitted to the Township indicating that the permit was submitted in duplicate therefore appropriate that the municipal permit fee in the amount of $95.00, derived from the $96.00 total construction permit fee less the $1.00 DCA fee, be refunded to the contractor AAA All Service ; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-0765, in the amount of $95.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed $95.00 on construction permit fees posted by AAA All Service Inc. for 53 Fayette St. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of $95.00 from the Refund of Revenue Fund to the Contractor, AAA All Service, Inc., 1606 Route 27, Edison, NJ 08817.

EXPLANATION: Resolution to Refund unused portion of Developers Escrow Fees

RESOLUTION R.709-102016

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Seagis Edison 2170 LLC. for a project located at Vineyard and Route 27 , Edison, N.J. 08817 in Block 1120, Lot 63 and Application # P10-2014 ; and

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

WHEREAS; on October 10, 2014 Seagis Edison 2170 LLC. posted fees on deposit with the Township of Edison in the account # 7763328836 for Developers Escrow Fees; and

WHEREAS; the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

WHEREAS; it is now in order that the sum $ 3,401.51 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Seagis Edison 2170 LLC ; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICAPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of $ 3,401.51 plus accrued interest, if applicable be refunded to, Seagis Edison 2170 LLC, 100 Front Street, Suite 350, Conshohocken, PA 19428

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of $3,401.51 plus accrued interest, if applicable, in account #7763328836 to the applicant

RESOLUTION R.710-102016

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 STO0000211, to the following:

Permit Number:	**1009**
Opening Location:	**30 Williams Road**
Block/Lot:	**1017/1**
Applicant's Name & Address:	**John Burton Plumbing & Heating Inc** **104 Norcross Avenue, Unit B** **Metuchen, NJ 08840**
Initial Deposit Date:	**06/30/16**
Deposit Amount:	**$480.00**
Paid by & refunded to:	**John Burton Plumbing & Heating Inc** **104 Norcross Avenue, Unit B** **Metuchen, NJ 08840**

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.711-102016

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 STO0000215, to the following:

Permit Number:	**20037**
Opening Location:	**Kilmer Road**
Block/Lot:	**N/A**
Applicant's Name & Address:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**
Initial Deposit Date:	**08/15/16**
Deposit Amount:	**$100.00**
Paid by & refunded to:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**

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.712-102016

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 STO0000200, to the following:

Permit Number:	**0879**
Opening Location:	**35 Loring Avenue**
Block/Lot:	**235.B/41**
Applicant's Name & Address:	**CEA Home Improvement** **216 Jarvis Road** **Sicklerville, NJ 08081**
Initial Deposit Date:	**02/26/16**
Deposit Amount:	**$480.00**
Paid by & refunded to:	**CEA Home Improvement** **216 Jarvis Road** **Sicklerville, NJ 08081**

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.713-102016

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 STO000216, to the following:

Permit Number:	**20050**
Opening Location:	**Durham Avenue**
Block/Lot:	**N/A**
Applicant's Name & Address:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**
Initial Deposit Date:	**08/18/16**
Deposit Amount:	**$100.00**
Paid by & refunded to:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**

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.,714-102016

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 STO000214, to the following:

Permit Number:	**20036**
Opening Location:	**Brunswick Road**
Block/Lot:	**N/A**
Applicant's Name & Address:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**
Initial Deposit Date:	**08/15/16**
Deposit Amount:	**$100.00**
Paid by & refunded to:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**

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.715-102016

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 STO000213, to the following:

Permit Number:	**20035**
Opening Location:	**National Road**
Block/Lot:	**N/A**
Applicant's Name & Address:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**
Initial Deposit Date:	**08/15/16**
Deposit Amount:	**$100.00**
Paid by & refunded to:	**Taylor Wiseman & Taylor** **124 Gaither Drive, Suite 150** **Mt. Laurel, NJ 08054**

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.716-102016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FIT-RITE UNIFORM CO., INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on September 20, 2016 for Public Bid No. 16-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083, submitted the lowest legally responsible 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 FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible bid for various items 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 FIT-RITE UNIFORM CO., INC.

RESOLUTION R.717-102016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONTINENTAL FIRE & SAFETY, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on September 20, 2016 for Public Bid No. 16-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Rd., Hamilton, NJ 08691, submitted the lowest legally responsible 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 CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Rd., Hamilton, NJ 08691 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible bid for various items 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 CONTINENTAL FIRE & SAFETY, INC.

RESOLUTION R.718-102016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO TRILEX, PPE FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on September 20, 2016 for Public Bid No. 16-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, TRILEX, PPE, 50 Hemlock Drive, Township of Washington, NJ 07676 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed $150,000.00, 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 TRILEX, PPE, 50 Hemlock Drive, Township of Washington, NJ 07676 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed $150,000.00 and any other necessary documents, with TRILEX, PPE.

RESOLUTION R.719-102016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS FOR TURNOUT GEAR REPAIR, CARE AND MAINTENANCE

WHEREAS, bids were received by the Township of Edison on September 21, 2016 for Public Bid No. 16-06-25-Turnout Gear Repair, Care and Maintenance for the Division of Fire; and

WHEREAS, BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134th St., New York, NY 10454 submitted the lowest legally responsible, responsive bid; 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 BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134th St., New York, NY 10454 for Turnout Gear Repair, Care and Maintenance for the Division of Fire 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 $30,000.00, and any other necessary documents, with BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS.

RESOLUTION R.720-102016

NOTICE OF SALE OF ABANDONED VEHICLES AS PROVIDED IN TITLE R.S. 39:10-A-1
NOTICE IS HEREBY GIVEN that on Wednesday 10/19/2016 at 11:00 A.M. the TOWNSHIP OF EDISON will hold for auction (48) vehicles. The vehicles listed below came into possession of the TOWNSHIP OF EDISON through abandonment or failure of owners to claim and have been duly processed. For sale are the following vehicles with a Re-Sale application (NO LIEN)

Number	Make	Model	Year	VIN
13041197	VW	Bug	N/A	1162097381
14044644	Dae	Leg	2000	KLAVA6923YB269725
14046629	MB	C6A	2007	WDDDJ77X67A096592
15028125	Chev	Tahoe	1995	1GNEK13K4SJ423574
15039658	Lin	LLS	2002	1LNHM87A12Y703272
15045718	Toy	V39	1990	JT3VN39W0L0026610
15053417	Chev	N/A	1974	CGY364U135100
15053419	Toy	Cam	1992	4T1SK12E0NU061006
15053424	Mer	Mar	1971	1Z76S527481
15053458	Nis	Sta	1986	JN1HM05S0GX016950
15053459	VW	Das	1980	33A0202611
15058720	Hon	Civ	1997	JHMEJ6672VS036759
15061734	Hon	Civ	1995	2HGEJ2123SH531952
16001763	Chr	200	2012	1C3CCBAB9CN295661
16002335	Lex	GS3	1998	JT8BD68S1W0008007
16003255	MB	300	1989	WDBEA30D7KA941609
16006380	Nis	Alt	1999	1N4DL01D1XC165256
16013545	Hon	Acc	1994	1HGCD7254RA029223
16013698	Jeep	Lib	2006	1J4GL48K46W170705
16016342	Old	Ale	2000	1G3NK52T9YC431323
16018629	Dod	Dur	1999	1B4HS28Y1XF709138
16020714	Jag	X-Type	2004	SAJEA51C54WE00605
16021978	Chr	Seb	2001	1C3EL46X71N563015
16022977	Hon	Acc	2002	1HGCG16572A015255
16024200	Ply	Voy	1999	2P4GP44R8XR438092
16025735	Hon	Crv	2008	5J6RE48538L047592
16026570	Toy	Cor	2002	2T1BR12E12C551916
16034002	Che	Cav	1997	1G1JC5246V7134088
16034464	Hon	Civ	1997	1HGEJ6120VL103786
16036816	Hon	Acc	1999	1HCG3276XA014639
16037261	Nis	Max	2003	JN1DA31A03T420967
16039116	Chry	T&C	2002	2C4GP443X2R679192
16040125	Dod	Ram	1999	2B7JB21Y9XK506059
16041704	Toy	Cst	1992	JT5ST87K8N0120105
16047037	Dod	Neo	2003	1B3ES56C33D227809

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

Number	Make	Model	Year	VIN
15053717	Toy	Sie	1999	4T3ZF13C2XU151297
15058053	BMW	3S	2007	WBAVB735X7PA89691
15058752	Lin	Twn	1988	1LNBM81FXJY675576
16010178	Lex	ES	2007	JTHBJ46G372084877
16016011	Pon	G6	2006	1G2ZH178064154084
16029145B	Acu	3.2	2003	19UUA56613A088886
16040980	Che	Cav	1998	1G1JC524W7227989

For sale are the following motorcycles, dirt bikes, busses and trailers with a Re-Sale Application (NO LIEN)

Number	Make	Model	Year	VIN
N/A	Ste	N/A	1978	12277471 (53 FT TRAILER)
N/A	Ste	N/A	1978	12277476 (53 FT TRAILER)
15025136	Yam	N/A	2003	JYARJ06E33A009700
15043681	Baj	125	2006	LUAHYKC0071001449
16012407	Mid	Bus	2001	1GBJG31R2Y1203724 (BUS)
16028979	Wab	N/A	2001	1JJV532W21L7544552 (53 FT TRAILER)

Vehicles may be inspected at the Edison Township Municipal Impound Yard in Edison at 745 New Durham Road the day of the sale from 8:30AM-10:00AM. (Direction can be requested – please email RSzucs@edisonpd.org). Vehicles must be removed within three (3) business days after sale. Payment is due at the time of the sale. Auction will be held at the Edison Township Municipal Complex at 100 Municipal Blvd., Edison NJ, at 11:00AM in the Edison Room, 3rd floor. Vehicle may only be removed from the impound lot with a tow truck or flat bed ONLY; No dollies and NO EXCEPTIONS.

RESOLUTION R.721-102016

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO ADORAMA FOR BCI EQUIPMENT FOR THE DIVISION OF POLICE

WHEREAS, quotes were solicited by the Township of Edison for BCI Equipment for the Division of Police; and

WHEREAS, ADORAMA, INC., 42 West 18th Street, New York, NY 10011 submitted the lowest quote in the amount of $2,218.35; and

WHEREAS, the Police Division will need additional BCI supplies before the end of 2016 in the approximate amount of $3,781.65; and

WHEREAS, funds in the total amount of $6,000.00 have been certified to be available in the Police Department – Materials and Supplies Account, number 6-01-25-0240-000-030*;* 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. Quotes have been reviewed and the quote in the amount of $2,218.35 by ADORAMA, INC., 42 West 18th Street, New York, NY 10011 for BCI equipment is determined to be the lowest quote with an additional $3,781.65 for future BCI purchases.
2. The Mayor, or his designee, is hereby authorized to execute a contract/Purchase Order in the amount of $6,000.00 and any other necessary documents, with ADORAMA, INC.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **$6,000.00** are available for the above contract in Account No. 6-01-25-0240-000-030**.**

_____

Nicholas C. Fargo
Chief Financial Officer

_____

Date

RESOLUTION R.722-102016

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE POLICE VEHICLES FROM BEYER FORD 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, BEYER FORD, 170 Ridgedale Avenue, Morristown, NJ 07962 has been awarded Contract 16-01- Police and Administrative Vehicles, through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with BEYER FORD for six (6) 2017 or newer Ford Utility Police Interceptors (Black & White) at a total price of $152,184.00 ($25,364.00 each) and one (1) 2017 or newer Ford Utility Police Interceptor (Black & White) at a price of $25,050.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, funds for this purchase, in the amount of $177,234.00 are available in the Police Department Purchase of Vehicles Account, Number 6-01-25-0240-000-051; 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 $177,234.00 with BEYER FORD, 170 Ridgedale Avenue, Morristown, NJ 07962 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 **$177,234.00** are available for the above in Account No. **6-01-25-0240-000-051.**

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.723-102016

WHEREAS, George Bishop Ahr High School, Tinley Lane, Edison, NJ, has requested a waiver of any and all permit and/or application fees for the HVAC project.

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive fifty percent (50%) of any applicable fees, except the DCA fee

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive fifty percent (50%) of any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by George Bishop Ahr High School.

RESOLUTION R. 724-102016

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 $ 62,500.00 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 $ 62,500.00 which is now available as 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:

Attorney General‘s Body Worn Camera (BWC) Assistance Program…….$62,500.00

BE IT FURTHER RESOLVED that a like sum of $62,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Attorney General‘s Body Worn Camera (BWC) Assistance Program……$62,500.00

BE IT FURTHER RESOLVED, that a certified copy of the required certification will be filed in the office of the Director of Local Government Services for certification.

RESOLUTION R.725-102016

RESOLUTION REQUESTING APPROVAL OF
THE BEST PRACTICES INVENTORY QUESTIONNAIRE
FOR CALENDAR YEAR 2016

WHEREAS, Local Finance Notice LFN 2016-13 provides guidance with respect to how the Division of Local Government Services, State of New Jersey will implement the statutory requirement of the Best Practices Questionnaire CY 2016 and the inventory contained within the Best Practices Questionnaire is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Governing Body of the Township of Edison, State of New Jersey acknowledges the Best Practices Inventory Questionnaire CY 2016 and has been apprised of the responses completed by the Chief Financial Officer and authorizes the Certification and prompt submission by the Municipal Clerk and the Chief Financial Officer; and

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby accepts the Best Practices Questionnaire CY 2016 with the responses completed by the Chief Financial Officer and authorizes a copy to be sent to the Division of Local Government Services within the prescribed time frame dictated by the Division of Local Government Services and the Local Finance Notice LFN 2016-13

DATED: October 13, 2016

RESOLUTION R.726-102016

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO NEWARK SPRING AND SUSPENSION, LLC FOR THE FURNISHING OF SPRING/SUSPENSION REPAIR/REPLACE/REBUILD

WHEREAS, bids were received by the Township of Edison on September 20, 2016 for Public Bid No.16-08-29-Spring/Suspension Repair/Replace/Rebuild; and

WHEREAS, NEWARK SPRING AND SUSPENSION, LLC, 280 Frelinghuysen Ave., Newark, NJ 07114, submitted the lowest legally responsible bid; 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 NEWARK SPRING AND SUSPENSION, LLC, 280 Frelinghuysen Ave., Newark, NJ 07114 for Spring/Suspension Repair/Replace/Rebuild is determined to be the lowest legally responsible bid.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed $25,000.00 and any other necessary documents, with NEWARK SPRING AND SUSPENSION, LLC.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Edgewood Estates Builders, Inc., for 38-40 Edgewood Road; Block 557-B, Lots 43.03 & 43.04; Tree Permit #07-124; Account **# 7760237743**

TOWNSHIP OF EDISON

RESOLUTION R.727-102016

WHEREAS, on September 24, 2007, Edgewood Estates Builders, Inc. posted a Tree Maintenance Bond fees in the amount of $900.00 on deposit with the Township of Edison in account #7760237743 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-124.

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 $900.00 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 $900.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $900.00 on deposit in Account #**7760237743** to Edgewood Estates Builders, Inc., 107 Cayuga Boulevard, Barnegat, NJ 08005.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Middlesex Logistics Owner, LLC; for 75 Mill Road; Block 398, Lot 11; Tree Permit #12-091; Account **# 7762575897**

RESOLUTION R.728-102016

WHEREAS, on October 22, 2013, Middlesex Logistics Owner, LLC posted a Tree Maintenance Bond fees in the amount of $51,675.00 on deposit with the Township of Edison in account #7762575897 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-091.

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 $51,675.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $51,675.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $51,675.00 on deposit in Account #**7762575897** to Middlesex Logistics Owner, LLC, 171 Route 173, Suite 201, Asbury Park, NJ 08802.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Builders General Supply Co., for 1177 Inman Avenue; Block426, Lots 1-P; Tree Permit #07-088; Account **# 7760237730**

RESOLUTION R.729-102016

WHEREAS, on August 7, 2007, Builders General Supply Co. posted a Tree Maintenance Bond fees in the amount of $270.00 on deposit with the Township of Edison in account #7760237730 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-088.

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 $270.00 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 $270.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $270.00 on deposit in Account #**7760237730** to Builders General Supply Co., for 1177 Inman Avenue, Edison, NJ 08820.

RESOLUTION R.730-102016

WHEREAS, on June 20, 2013, Luis Lurdes posted a Tree Maintenance Bond fees in the amount of $675.00 on deposit with the Township of Edison in account #7762575756 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-111.

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 $675.00 be refunded to the applicant; and

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $675.00 on deposit in Account #**7762575756** to Luis Lurdes for 441 Plainfield Road, Edison, NJ 08820.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Arnulfo Vidal for 100 Wood Avenue; Block 652, Lot 1; Tree Permit #10-002; Account **# 7760275111**

RESOLUTION R.731-102016

WHEREAS, on December 17, 2010, Arnulfo Vidal posted Tree Maintenance Bond fees in the amount of $1,050.00 on deposit with the Township of Edison in account #7760275111 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-002.

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 $1,050.00 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 $1,050.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $1,050.00 on deposit in Account #**7760275111** to Arnulfo Vidal, of 1622 Porter Lakes Drive, Jacksonville, Florida 32218, for the referenced property at 100 Wood Avenue, Edison, NJ.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Plainfield Country Club, for 1591 Woodland Avenue; Block 415, Lots 1,2, 3,7A, 9C, 9H-1 & 9E-4; Tree Permit #11-118; Account **# 7762575723**

RESOLUTION R.732-102016

WHEREAS, on May 15, 2013, Plainfield Country Club posted a Tree Maintenance Bond fees in the amount of $2,700.00 on deposit with the Township of Edison in account #7762575723 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-118.

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 $2,700.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $2,700.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $2,700.00 on deposit in Account #**7762575723** to Plainfield Country Club, for 1591 Woodland Avenue, Edison, NJ 08820.

EXPLANATION: Resolution refunding Cash Performance Bond to Edison AMQSR Inc., for 760 US Route 1 N, Application #P07-08/09; Block 265-BB, Lot 43-Q1; Account **#7760013391**

RESOLUTION R.733-102016

WHEREAS, on August 20, 2009, Edison AMQSR Inc., posted a Cash Performance Check by Check #882 in the amount of $4,892.64, to guarantee the installation of improvements for the project 760 US Route 1N (Arby's), Block 265-BB, Lot 43-Q1.

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 **$4,892.64** plus accrued interest, if applicable, on deposit in account **#7760013391** to the applicant, Edison AMQSR Inc., 365 Blair Road, Unit B, Avenel, NJ 07001.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Nettles Edison, LLC, c/o Mark Investment; for Walgreens Project, Block 256, Lot 9-33; Tree Permit #08-124; 81 Plainfield Avenue; Account **# 7760275089**

TOWNSHIP OF EDISON

RESOLUTION R.734-102016

WHEREAS, on November 8, 2008, Nettles Edison, LLC posted a Tree Maintenance Bond fees in the amount of $3,300.00 on deposit with the Township of Edison in account #7760275089 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-124.

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 $3,300.00 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 $3,300.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $3,300.00 on deposit in Account #**7760275089** to Nettles Edison, LLC, c/o Mark Investment, 57 River Street, Suite 106, Wellesley, MA 02481.

EXPLANATION: Resolution refunding Cash Performance Bond to Edgewood Estates Builders, Inc., for 38-40 Edgewood Road, Application #P5058; Block 557-B, Lots 43.03 & 43.04; Account **#7760013334**

RESOLUTION R.735-102016

WHEREAS, on April 7, 2008, Edgewood Estates Builders, Inc., posted a Cash Performance Check by Check #0844049 in the amount of $20,143.00, to guarantee the installation of improvements for the project 38-40 Edgewood Road, Block 557-B, Lots 43.03 & 43.04.

WHEREAS the Township of Edison, by Resolution R.214-042014, authorized the reduction of the aforementioned bond by 50%, leaving a balance in the established account of $10,071.50.

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 balance of the aforesaid Cash Performance in the amount of **$10,071.50** plus accrued interest, if applicable, on deposit in account **#7760013334** to the applicant, Edgewood Estates Builders, Inc., 107 Cayuga Road, Barnegat, NJ 08005.

EXPLANATION: Resolution Releasing Maintenance Bond #1010594M under application No. P25-09/10 to Plainfield Country Club, 1591 Woodland Avenue, Edison, NJ 08820.

RESOLUTION R.736-102016

WHEREAS, the Township Engineer advises that an inspection has been made of 1591 Woodland Avenue, Block 415 and Lots: 1, 2, 3, 7A, 9C, 9H-1 & 9E-4, Application #P25-09/10, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on May 15,2013 Plainfield Country Club posted a Maintenance Bond #1010594M in the amount of $27,943.80 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 #1010594M in the amount of $27,943.80. The principal being Plainfield Country Club having offices at 1591 Woodland Avenue, 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 #1010594M in the amount of $27,943.80.

Explanation: This Resolution increases the budget for environmental services to be paid Excel Environmental for its professional services as Environmental Consultant.

RESOLUTION R.737-102016

WHEREAS, the Municipal Council ("Municipal Council") of the Township of Edison ("Township") has entered a professional services contract ("Contract") with Excel Environmental Resources, Inc. ("Environmental Consultant") to act as an environmental consultant to the Township, pursuant to the Local Public Contracts Law, *N.J.S.A.* 40A:11-1 *et seq*.; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established the budget for legal services for calendar year 2016; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Environmental Consultant will be required to commit more time to the performance of its environmental consulting, investigation and implementation services than initially expected; and

WHEREAS, the Municipal Council desires to increase the Budgeted Amount to an additional amount not to exceed $25,000 and authorizes the payment to Environmental Consultant for legal services under the Contract.

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

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

2. The Budgeted Amount to be paid Environmental Consultant for its environmental consulting, investigation and implementation services pursuant to the terms of the Contract is hereby increased an additional amount not to exceed $25,000. The Chief Financial Officer or is designee is hereby authorized to make payments to Labor Counsel under the Contract up to said amount.

3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budget Amount, as may be required, in a form acceptable to the Township Attorney.

4. Environmental Consultant shall continue to provide legal services under the Contract at the rates provided for therein.

5. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year.

6. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.

7. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that funds in the amount of $25,000.00 are available for above contract in Account No. 6-01-27-0330-001-028 in the amount of $10,000.00 and funds in the amount of $15,000.00 are available in Account No. 6-07-55-0501-000-028.

_____
Nick Fargo
Chief Financial Officer

Explanation: This Resolution increases the budget for legal fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its professional services as Township Special Labor Counsel.

RESOLUTION R.738-102016

WHEREAS, the Municipal Council ("Municipal Council") of the Township of Edison ("Township") has entered a professional services contract ("Contract") with Apruzzese, McDermott, Mastro & Murphy, P.C., LLC ("Special Labor Counsel") to act as the Township's special labor counsel, pursuant to the Local Public Contracts Law, *N.J.S.A.* 40A:11-1 *et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established the budget for legal services for calendar year 2016; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Special Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the Budgeted Amount to an additional amount not to exceed $25,000 and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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

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

9. The Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed $25,000. The Chief Financial Officer or is designee is hereby authorized to make payments to Labor Counsel under the Contract up to said amount.

10. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budget Amount, as may be required, in a form acceptable to the Township Attorney.

11. Special Labor Counsel shall continue to provide legal services under the Contract at the rates provided for therein.

12. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year.

13.

14. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.

15. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year, funds in the amount of an additional $25,000.00 are available in Account No.6-01-20-0155-001-027 for Special Labor Services.

_____
Nick Fargo
Chief Financial Officer