

**AGENDA  
MUNICIPAL COUNCIL  
REGULAR MEETING  
Wednesday, March 9, 2015  
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
  - a. Closed Session of January 11, 2016
5. **COUNCIL PRESIDENT'S REMARKS**
6. **APPROVAL OF VOLUNTEER FIREFIGHTER:**

**Raritan Engine Company # 1**  
Anthony TJ Walsh
7. **UNFINISHED BUSINESS:  
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND  
FINAL ADOPTION:**
  - O.1922-2016** REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL OBLIGATION BONDS OF 2007, APPROPRIATING \$11,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016, CONSISTING OF GENERAL IMPROVEMENT REFUNDING BONDS AND SEWER UTILITY REFUNDING BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$11,100,000 FOR FINANCING THE COST THEREOF.
  - O.1923-2016** ORDINANCE ADOPTS CERTAIN AMENDMENTS TO THE "REDEVELOPMENT PLAN FOR SALSBURG PROPERTIES" ( BLOCK 1142, LOT 21.B, BLOCK 1143 , LOTS 27.01 AND 27.02 AKA 1906 ROUTE 27) PURSUANT TO THE LOCAL

REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1  
ET SEQ

**O.1924-2016** ORDINANCE AUTHORIZES THE TOWNSHIP TO GRANT AND RECORD A TEMPORARY CONSTRUCTION EASEMENT TO THE COUNTY OF MIDDLESEX IN FURTHERANCE OF ITS REPLACEMENT OF CULVERT 2-C-652 AT NORTH EIGHTH AVENUE OVER MILL BROOK IN EDISON.

8. **NEW BUSINESS:  
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR  
MARCH 23, 2016**

**O.1925-2016** ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO REVISE AND UPDATE THE PER GALLON WATER RATES THE TOWNSHIP CHARGES RESIDENTIAL AND NON-RESIDENTIAL USERS FOR THE DISCHARGE OF NORMAL DOMESTIC SEWAGE AND THE RATES CHARGED SIGNIFICANT INDUSTRIAL USERS.

9. **PUBLIC COMMENT ON THE RESOLUTIONS:**

10. **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.146-032016 Resolution approving disbursements for the period ending March 3, 2016.
- R.147-032016 Resolution authorizing refund in the amount of \$436,688.29 for redemption of tax sale certificates.
- R.148-032016 Resolution authorizing refund for tax overpayments totaling \$10,163.35.
- R.149-032016 Resolution authorizing refund of Sewer Charge overpayments totaling \$24.25.
- R.150-032016 Resolution authorizing Overpayment refund caused by Successful Tax Court Appeal with Freeze Act Provision to Keystone Talmadge LLC for Block 50 Lot 10 in the amount of \$36,263.70.

- R.151-032016 Resolution authorizing a Professional Services Contract to Hodulik and Morrison, P.A. for Independent Auditor Services for Fiscal Years 2015 and 2016 in the amount not to exceed \$107,000.00.
- R.152-032016 Temporary Emergency Appropriations.
- R.153-032016 Award of Contract/Purchase Order for renewal of Software Maintenance of the Edmunds System for 2016 in the amount of \$48,495.00.
- R.154-032016 Award of Contract/Purchase Order for Maintenance and Support of the Phone and Radio Systems to Value Added Voice System in the amount of \$50,166.76.
- R.155-032016 Award of Contract/Purchase Order for the Renewal of Hardware and Software Support for the Township Servers to Hewlett Packard Company in the amount of \$10,814.56.
- R.156-032016 Award of Contract/Purchase Order for the furnishing of Hewlett Packard Computer Equipment for the Township to CDW Government, LLC in the amount not to exceed \$35,000.00.
- R.157-032016 Resolution authorizing the development and submission of grant application the Build A Bear Foundation for the Edison Senior Citizen Center in the amount of \$5,000.00.
- R.158-032016 Resolution authorizing the development and submission of grant application for the Bristol-Myers Squib New Jersey Community Grants Program for the Edison Senior Citizen Center in the amount of \$10,000.00.
- R.159-032016 Resolution authorizing the development and submission of grant application, Eisner Amper Cares for the Edison Senior Citizen Center in the amount of \$6,000.00.
- R.160-032016 Resolution directing the Township Planning Board to investigate the property commonly known as 1015 Route 1 (Block 198.L, Lot 39) aka Clayton Block in the Township as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.
- R.161-032016 Resolution authorizes partial payment of a refund due to the Estate of Judith Salsburg, in connection with certain overpayments made to the Township of Edison in the amount of \$112,343.57.
- R.162-032016 Resolution requesting that the Commissioner of the New Jersey Department of Transportation authorize the road closing of Orchard Avenue in the Township for several months so that the County of Middlesex can proceed with the necessary culvert replacement work.
- R.163-032016 Resolution determining the form and other details of not to exceed \$11,100,000 aggregate principal amount of general obligation refunding bonds, series 2016, of the Township of Edison, in the County of Middlesex, New Jersey or such other amount as determined by the Chief Financial Officer to accomplish the refunding on the terms required by the Local Finance Board pursuant to *N.J.A.C. 5:30-2.5* and consistent with the

refunding provisions of the Internal Revenue Code and providing for the sale and the delivery of such bonds to RBC capital markets.

- R.164-032016 Resolution authorizes the Mayor to execute the attached Developers Agreement with the New Jersey Carpenters' Pension Fund with respect to the property located at 75 Fieldcrest Avenue in Edison.
- R.165-032016 Resolution authorizing the entering of a indemnification and Access Agreement with the Township of Woodbridge to facilitate its use of a vacant building owned by Edison for security training program.
- R.166-032016 Resolution authorizes the Mayors to execute the attached Developer's Agreement with Open Road of Central Jersey, LLC with respect to the property identified as Block 337.K, Lot 7-A, 8,9,10.E and 10.D1 (1948-1979 Woodbridge Avenue) as shown on the Edison Township tax map.
- R.167-032016 Resolution refunding Engineering Inspection Fees to EJ-Ferreria, account #7763090766 in the amount of \$14,117.02.
- R.168-032016 Resolution refunding for Senior Resident for the construction permit #2015-4878 in the amount of \$375.00 to Meyer & Depew Co. Inc.
- R.169-032016 Resolution to release Street Opening Escrow for 215 Sylvan Dell Avenue, in the amount of \$384.00 to CEA Home Improvement.
- R.170-032016 Resolution accepting quote and Awarding Contract for Home Improvements as part of the Community Development Block Grant Program in the amount of \$20,100.00.
- R.171-032016 Resolution authorizing additional funds for the furnishing of Generator Maintenance and Repair to Atlantic Switch & Generator, LLC in an amount not to exceed \$65,000.00.
- R.172-032016 Award of Contract/Purchase Order for a Hostage Negotiation Tool to Rescue Phone, Inc. in the amount of \$22,985.00.

11. **COMMUNICATIONS:**

- a. Letter received from Ms. Muska regarding parking issues on Woodedge Avenue.
- b. Letter received from Jil Schedin regarding issues at her apartment.

12. **ORAL PETITIONS AND REMARKS**

13. **ADJOURNMENT**

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL OBLIGATION BONDS OF 2007, APPROPRIATING \$11,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016, CONSISTING OF GENERAL IMPROVEMENT REFUNDING BONDS AND SEWER UTILITY REFUNDING BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$11,100,000 FOR FINANCING 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 Township of Edison, in the County of Middlesex, New Jersey (the "Township") is hereby authorized to refund all or a portion of (i) \$8,065,500 outstanding principal amount of the Township's General Improvement Bonds, originally issued in the principal amount of \$29,675,500, dated June 1, 2007, which amount matures on June 1 in each of the years 2020 through 2022, inclusive (the "General Improvement Refunded Bonds"), and (ii) \$1,731,500 outstanding principal amount of the Township's Sewer Utility Bonds, originally issued in the principal amount of \$2,266,500, dated June 1, 2007, which amount matures on June 1 in each of the years 2020 through 2037, inclusive (the "Sewer Utility Refunded Bonds" and, together with the General Improvement Refunded Bonds, the "Refunded Bonds"), which are subject to redemption at the option of the Township on or after June 1, 2019, at a redemption price of 100% of the principal amount of the Refunded Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

**Section 2.** In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$11,100,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

**Section 3.** An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

**Section 4.** The Township desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

**Section 5.** 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 is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$11,100,000, and that an amount representing the principal amount of the Refunded Bonds equal to \$9,797,000 will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

**Section 6.** A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

**Section 7.** This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, which consent will be so endorsed in accordance with N.J.A.C. 5:30-2.5.

**O.1923-2016**

**EXPLANATION:** This Ordinance adopts certain amendments to the “Redevelopment Plan for Salsburg Properties” (Block 1142, Lot 21.B; Block 1143, Lots 27.01 and 27.02; aka 1906 Route 27) 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**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the municipal council (“Municipal Council”) of the Township of Edison (the “Township”) must authorize the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS**, in November of 1995, the Municipal Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 1142, Lot 21.B; and Block 1143, Lots 27.01 and 27.02 (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment, which designation would authorize the Township and Municipal Council to use all those powers permitted by the Redevelopment Law; and

**WHEREAS**, following an investigation conducted by the Planning Board and a public hearing, the Municipal Council adopted a resolution designating the Study Area as an “area in need of redevelopment” (“Redevelopment Area”) in accordance with the Redevelopment Law; and

**WHEREAS**, the Municipal Council thereafter adopted by ordinance a redevelopment plan for the Redevelopment Area entitled “Redevelopment Plan for Salsburg Properties” as prepared by Sheehan Consulting Group and dated May 1996 (“Original Redevelopment Plan”); and

**WHEREAS**, on October 14, 2015 the Municipal Council adopted a resolution to refer certain amendments to the Original Redevelopment Plan (“First Amended Redevelopment Plan” dated October 2015) to the Planning Board for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

**WHEREAS**, on October 19, 2015, the Planning Board held a hearing at which it reviewed the First Amended Redevelopment Plan and adopted a resolution recommending its adoption; and

**WHEREAS**, on November 9, 2015, the Municipal Council adopted Ordinance O.1916.2015 which adopted the First Amended Redevelopment Plan; and

**WHEREAS**, on February 10, 2016, the Municipal Council adopted a resolution to refer certain amendments to the First Amended Redevelopment (“Second Amended Redevelopment Plan” dated February 2016) to the Planning Board for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

**WHEREAS**, on February 17, 2016, the Planning Board held a hearing at which it reviewed the Second Amended Redevelopment Plan and adopted a resolution recommending its adoption; and

**WHEREAS**, upon review of the Planning Board’s recommendation of the Second Amended Redevelopment Plan, the Municipal Council has determined to adopt the Second Amended Redevelopment Plan 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:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Second Amended Redevelopment Plan, attached hereto as *Exhibit A*, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.
3. The zoning district map included in the zoning ordinance of the Township is hereby amended to include the Redevelopment Area per the boundaries described in the Redevelopment Plan, as applicable. All of the provisions of the Second Amended Redevelopment Plan shall supersede the applicable development regulations of the Township's municipal code, as and where indicated.

**O.1924-2016**

**EXPLANATION:** This Ordinance authorizes the Township to grant and record a temporary construction easement to the County of Middlesex in furtherance of its replacement of Culvert 2-C-652 at North Eighth Avenue over Mill Brook in Edison.

**ORDINANCE**

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

**WHEREAS**, the County of Middlesex (“County”) is in the process of replacing Culvert 2-C-652 at North Eighth Avenue over Mill Brook in Edison (“Project”); and

**WHEREAS**, in furtherance of the Project, the County has requested that the Township grant and record a temporary construction easement (“Temporary Easement”) over its real property commonly known as Block 59.N, Lots 5, 6, 7 and 8 (“Property”, generally at 409 N. Eighth Avenue) for nominal consideration so that the County can continue its work; and

**WHEREAS**, the Municipal Council desires to authorize the grant, execution and recording of the Temporary Easement, which requires approval by ordinance pursuant to *N.J.S.A. 40A:12-13.4*.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby approves of the grant of the Temporary Easement to the County. The Mayor is hereby authorized to execute the Temporary Easement substantially in the form as attached hereto as *Exhibit A*, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with the Township Engineer and Township Attorney.
3. A copy of this Ordinance and the Temporary Easement shall be available for public inspection at the offices of the Township Clerk. The Temporary Easement shall be recorded on title to the Property.
4. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.



**Explanation:** This Ordinance amends the Edison Township Code to revise and update the per gallon water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage and the rates charged Significant Industrial Users of the Township’s sewer system.

**ORDINANCE**

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

**WHEREAS**, the municipal council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to revise and update the per gallon and annual water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage and the rates charged Significant Industrial Users (“SIUs”) of the Township’s sewer system; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 27, Subchapter 8.1(a) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

**“27-8.1 Sewer System Fees and Rates.**

a. All residential users of the Township sanitary sewer system discharging normal domestic sewage, as herein described in the sanitary sewer use regulations, shall be charged at a rate of [\$0.003815] \$0.003887 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, [2015] 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance. All users of the aforesaid sanitary sewer system whose discharged water originated from a well or nonmetered source shall, except as provided in paragraph h. below, be charged as follows:

[\$236.25] \$240.74 in [2015] 2016. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.”; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 27, Subchapter 8.1(c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“c. Nonresidential users shall be charged per gallon of water consumed, as follows:

	[2014]	2015[*]	<u>2016*</u>
Class I	[0.004755]	0.005677	<u>0.005961</u>
Class II	[0.006585]	0.007862	<u>0.008255</u>
Class III	[0.007485]	0.008937	<u>0.009384</u>
Class IV	[0.008895]	0.010621	<u>0.011152</u>

\*The sewer rates for [2015] 2016 established above shall be effective as of January 1, [2015] 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

The volume of sewage and/or industrial waste from each industrial establishment or SIU may be determined by meters paid for and installed and maintained by the owner or such user, actual water meter records and/or private well meter records combined with Township water records, or from estimates or measurements made by the Township Consulting Engineer, as the case may be. The user fee of SIUs shall be calculated using one of the aforementioned methods of measuring SIU usage and volume, and shall be charged as follows:

	<u>2015</u>	<u>2016*</u>
No. 1 Flow**	\$730.36	<u>\$766.88</u> per million gallons
No. 2 BOD (Bio-Oxygen Demand)	\$929.15	<u>\$975.61</u> per ton
No. 3 SS (Suspended Solids)	\$960.33	<u>\$1,088.35</u> per ton
No. 4 CD (Chlorine Demand)	\$232.58	<u>\$244.21</u> per cwt[.]

\*The user fees of SIUs for 2016 established above shall be effective as of January 1, 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

\*\*The total Flow rate charged on those classified as SIUs is the combination of the Class I rate plus the Flow rate."

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 27, Subchapter 8.1(a) of the Code to read as follows:

**“27-8.1 Sewer System Fees and Rates.**

a. All residential users of the Township sanitary sewer system discharging normal domestic sewage, as herein described in the sanitary sewer use regulations, shall be charged at a rate of \$0.003887 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance. All users of the aforesaid sanitary sewer system whose discharged water originated from a well or nonmetered source shall, except as provided in paragraph h. below, be charged as follows:

\$240.74 in 2016. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.”

3. The Municipal Council hereby amends Chapter 27, Subchapter 8.1(c) of the Code to read as follows:

“c. Nonresidential users shall be charged per gallon of water consumed, as follows:

	<u>2015</u>	<u>2016*</u>
Class I	0.005677	0.005961
Class II	0.007862	0.008255
Class III	0.008937	0.009384
Class IV	0.010621	0.011152

\*The sewer rates for 2016 established above shall be effective as of January 1, 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

The volume of sewage and/or industrial waste from each industrial establishment or SIU may be determined by meters paid for and installed and maintained by the owner or such user, actual water meter records and/or private well meter records combined with Township water records, or from estimates or measurements made by the Township Consulting Engineer, as the case may be. The user fee of SIUs shall be calculated using one of the aforementioned methods of measuring SIU usage and volume, and shall be charged as follows:

	<u>2015</u>	<u>2016*</u>
No. 1 Flow**	\$730.36	\$766.88 per million gallons
No. 2 BOD (Bio-Oxygen Demand)	\$929.15	\$975.61 per ton
No. 3 SS (Suspended Solids)	\$960.33	\$1,088.35 per ton
No. 4 CD (Chlorine Demand)	\$232.58	\$244.21 per cwt

\*The user fees of SIUs for 2016 established above shall be effective as of January 1, 2016 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

\*\*The total Flow rate charged on those classified as SIUs is the combination of the Class I rate plus the Flow rate.”

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 27 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the per gallon and/or annual water rates the Township charges non-residential users for the discharge of normal domestic sewage and the user fees charged SIUs heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

5. 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.

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

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

**RESOLUTION R.146-032016**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MARCH 3, 2016.

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 3, 2016.

FUND	AMOUNT
Current	\$28,932,565.69
Affordable Housing	159,011.50
Capital	617,501.79
Cash Performance	126,934.28
CDBG	9,111.52
Developers Escrow	26,075.25
Dog (Animal Control)	30,719.69
Federal Forfeited	0.00
Grant Funds	0.00
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	63,693.01
Sanitation Fund	209,085.08
Sewer Utility	2,474,256.78
Tax Sale Redemption	265,836.09
Tree Fund	0.00
Tree Planting	0.00
Trust	121,118.86
<b>TOTAL</b>	<b>\$33,035,909.54</b>

/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.147-032016**

**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 **\$436,688.29**.

**RESOLUTION R.148-032016**

**Authorizing refund for tax overpayments**

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

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

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

**BE IT FURTHER RESOLVED**, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$10,163.35**.

**RESOLUTION R.149-032016**

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

**WHEREAS**, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2015**; and

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

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

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

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

Property Owner:	Adel & Clair Guirguis
Property Location:	4 Canary Dr
Block/Lot/Qualifier	546.AA / 4
Sewer Account:	13127-0
Amount to be Refunded:	\$ 24.25
<b>GRAND TOTAL:</b>	<b>\$ 24.25</b>

3. This Resolution shall take effect immediately.

March 9, 2016

**RESOLUTION R.150-032016**

**Authorizing Overpayment Refund caused by  
Successful Tax Court Appeal with Freeze Act provision**

**WHEREAS**, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.467-072012**:

TAXPAYER	<b>KEYSTONE TALMADGE LLC C/O PROLOGIS</b>
PROPERTY LOCATION	<b>191 TALMADGE RD</b>
BLOCK / LOT / QUALIFIER	<b>50/10</b>
DOCKET NUMBER:	<b>001931-2011</b>
TAX YEAR	<b>2011</b>

**WHEREAS**, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s):2012.

**WHEREAS**, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$36,263.70** and

**WHEREAS**, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$36,263.70**.



**RESOLUTION R.151-032016**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO HODULIK AND MORRISON, P.A. FOR INDEPENDENT AUDITOR SERVICES TO THE TOWNSHIP FOR THE AUDITS OF FISCAL YEARS 2015 AND 2016, AND ADDITIONAL SERVICES AS NEEDED IN 2016**

**WHEREAS**, the Township is in need of auditing services as well as additional accounting/finance services; and

**WHEREAS**, Hodulik and Morrison, P.A has submitted a proposal to provide such services at a rate of \$135 per hour for Principal, \$115 per hour for Senior Accountant and \$95 per hour for Junior Accountant; and

**WHEREAS**, the Township recommends Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904 for the position of Township Auditor; and

**WHEREAS**, such services are professional services which, pursuant to N.J.S.A. 40A:11-5, may be awarded without competitive bidding; and

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

**WHEREAS**; the total amount of this contract shall not exceed \$107,000.00 for the fiscal 2015 audit, and shall not exceed \$107,000 for fiscal 2016 audit, as well as an amount not to exceed \$30,000.00 for additional services needed in 2016; and

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

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

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

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

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

1. The Township is hereby authorized to execute contracts and any other necessary documents, with Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904, in amounts not to exceed \$107,000.00 for each of the fiscal year audits, and not to exceed \$30,000 for additional services as needed in 2016, as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**RESOLUTION R.152-032016**

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

**WHEREAS**, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20, 2016 (revised to April 22, 2016) unless said budget calendar is extended according to law; and

**WHEREAS**, the date of this Resolution is prior to the adoption of the 2016 Calendar Year Budget,

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

<b><u>CURRENT FUND</u></b>	<b><u>AMOUNT</u></b>
DATA PROCESSING-Computer Hardware & Software	48,495.00
DISPATCH 911-Computer Hardware & Software	10,000.00
ENGINEERING-Computer Hardware & Software	12,000.00
BUILDING & GROUNDS-Other Expenses	<u>5,000.00</u>
TOTAL CURRENT FUND	<u><u>75,495.00</u></u>

**RESOLUTION R.153-032016**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDMUNDS & ASSOCIATES, INC.  
FOR RENEWAL OF SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM FOR 2016**

**WHEREAS**, the Township of Edison needs to renew the software maintenance for the Edmunds System for the year 2016; and

**WHEREAS**, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd); and

**WHEREAS**, EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225, has submitted a proposal to provide such services for the year 2016 at a total cost of \$48,495.00; and

**WHEREAS**, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

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

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

**WHEREAS**, funds in the amount of \$48,495.00 have been certified to be available in the Data Processing-Computer Hardware and Software Account, Number 6-01-20-0140-000-059, subject to and contingent upon appropriation of sufficient funds in the 2016 budget; 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 \$48,495.00, with EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225 as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5 (dd) and N.J.S.A. 19:44A-20.5 et. seq, INC. as described herein
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$48,495.00** are available for the above contract in Account No. **6-01-20-0140-000-059**, subject to and contingent upon appropriation of sufficient funds in the 2016 budget.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.154-032016**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO VALUE ADDED VOICE SOLUTIONS FOR MAINTENANCE AND SUPPORT FOR THE PHONE AND RADIO SYSTEMS FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need for maintenance and support for the phone and radio systems in the Township of Edison; and

**WHEREAS**, VALUE ADDED VOICE SOLUTIONS, 1111 Shore Dr., Brielle, NJ 08730, has been awarded State Contract Number 83908 under T-0109/Radio Communication Equipment and Accessories for this service; 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**, VALUE ADDED VOICE SOLUTIONS, has submitted a quote for a two year contract in the amount of \$16,333.38 for the first year and \$33,833.38 for the second year for a total contract amount of \$50,166.76; and

**WHEREAS**, funds in the amount of \$16,333.38 for the first year have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, Number 6-01-25-0250-000-026; and

**WHEREAS**, funds in the amount of \$33,833.38 for the second year of the contract is subject to and contingent upon the availability of sufficient funds in the 2017 budget; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$16,333.38 for the first year and \$33,833.38 for the second year - subject to and contingent upon the availability of sufficient funds in the 2017 budget for a total contract amount of 50,166.76 and any other necessary documents, with VALUE ADDED VOICE SOLUTIONS, 1111 Shore Dr., Brielle, NJ 08730 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 83908 under T-0109.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$16,333.38** have been certified to be available Account Number **6-01-25-0250-000-026** and funds in the amount of **\$33,833.38** for the second year of the contract are subject to availability of sufficient funds in the 2017 budget.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.155-032016**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HEWLETT PACKARD COMPANY  
FOR THE RENEWAL OF HARDWARE & SOFTWARE SUPPORT FOR THE TOWNSHIP SERVERS**

**WHEREAS**, there is the need for the renewal of the Hardware & Software Support for the Township Servers for the Township of Edison in the total amount of \$10,814.56; and

**WHEREAS**, HEWLETT PACKARD ENTERPRISE COMPANY, 1501 PAGE MILL ROAD, PALO ALTO, CA 94304, has been awarded State Contract Number 89974 under M-0483/NASPO VALUEPOINT COMPUTER; and

**WHEREAS**, funds in the amount of \$10,814.56 have been certified to be available in the Dispatch 911 Computer Hardware and Software Account, number 6-01-25-0250-000-059; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$10,814.56 and any other necessary documents, with HEWLETT PACKARD ENTERPRISE COMPANY, 1501 PAGE MILL ROAD, PALO ALTO, CA 94304, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 89974, under M-0483.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$10,814.56** are available for the above in Account No. **6-01-25-0250-000-059**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.156-032016**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT LLC FOR THE FURNISHING OF HEWLETT PACKARD COMPUTER EQUIPMENT FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need to purchase various computer equipment for the Township of Edison; and

**WHEREAS**, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 has been awarded State Contract Number 89974 under M-0483/NASPO VALUEPOINT COMPUTER; 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 \$35,000.00 cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$35,000.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 89974 under M-0483.

**RESOLUTION R.157-032016**

**WHEREAS**, the Edison Department of Health and Human Services, established the Edison Senior Citizen Center over thirty years ago; and

**WHEREAS**, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local, senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention and screenings; and

**WHEREAS**, the **Build A Bear Foundation** has grant funds available for eligible programs, projects, activities and related costs of qualified organizations that support its mission of public health; and

**WHEREAS**, the Edison Department of Health and Human Services, in partnership with Edison Senior Outreach Services, intends to apply for grant funding for a maximum of **\$5,000.00** from the **Build A Bear Foundation**, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Outreach Services, to apply for grant funding from the **Build A Bear Foundation**; and

**WHEREAS**, the Edison Department of Health and Human Services and/or Edison Senior Outreach Services, will utilize all grant funds awarded to it by the **Build A Bear 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 grant application, with no requirement for matching funds, at a regularly-scheduled, public meeting on the evening of **Wednesday, March 9, 2016**.

**RESOLUTION R.158-032016**

**WHEREAS**, the Edison Department of Health and Human Services, established the Edison Senior Citizen Center over thirty years ago; and

**WHEREAS**, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local, senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention and screenings; and

**WHEREAS**, the **Bristol-Myers Squibb New Jersey Community Grants Program** has grant funds available for eligible programs, projects, activities and related costs of qualified organizations that support its mission of public health; and

**WHEREAS**, the Edison Department of Health and Human Services, in partnership with Edison Senior Outreach Services, intends to apply for grant funding for a maximum of **\$10,000.00** from the **Bristol-Myers Squibb New Jersey Community Grants Program**, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Outreach Services, to apply for grant funding from the **Bristol-Myers Squibb New Jersey Community Grants Program**; and

**WHEREAS**, the Edison Department of Health and Human Services and/or Edison Senior Outreach Services, will utilize all grant funds awarded to it by the **Bristol-Myers Squibb New Jersey Community Grants Program**, 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 grant application, with no requirement for matching funds, at a regularly-scheduled, public meeting on the evening of **Wednesday, March 9, 2016**.



**RESOLUTION R.159-032016**

**WHEREAS**, the Edison Department of Health and Human Services, established the Edison Senior Citizen Center over thirty years ago; and

**WHEREAS**, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local, senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention and screenings; and

**WHEREAS**, **Eisner Amper Cares** has grant funds available for eligible programs, projects, activities and related costs of qualified organizations that support its mission of public health; and

**WHEREAS**, the Edison Department of Health and Human Services, in partnership with Edison Senior Outreach Services, intends to apply for grant funding for a maximum of **\$6,000.00** from **Eisner Amper Cares**, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Outreach Services, to apply for grant funding from **Eisner Amper Cares**; and

**WHEREAS**, the Edison Department of Health and Human Services and/or Edison Senior Outreach Services, will utilize all grant funds awarded to it by **Eisner Amper Cares**, 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 grant application, with no requirement for matching funds, at a regularly-scheduled, public meeting on the evening of **Wednesday, March 9, 2016**.

EXPLANATION: A Resolution directing the Township Planning Board to investigate the property commonly known as 1015 Route 1 (Block 198.L, Lot 39) aka Clayton Block in the Township as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

**RESOLUTION R.160-032016**

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

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

**WHEREAS**, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as 1015 Route 1 (also known as Block 198.L, Lot 39 on the tax map of the Township) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

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

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

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make

a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

**Explanation:** This Resolution authorizes partial payment of a refund due to the Estate of Judith Salsburg, in connection with certain overpayments made to the Township of Edison as described below.

**RESOLUTION R.161-032016**

**WHEREAS**, in the earlier part of the last decade, the Township of Edison initiated certain Code enforcement efforts against Washington Park Apartments, which are owned by the Estate of Judith Salsburg (Judith Salsburg hereinafter referred to as “Ms. Salsburg”, and her Estate the “Estate”); and

**WHEREAS**, in connection with those enforcement efforts, the Township obtained judgment against Ms. Salsburg in connection with certain Code violations pertaining to Washington Park Apartments; and

**WHEREAS**, in order to enforce and collect upon that judgment, the Township obtained certain orders of the Superior Court of New Jersey, which directed that certain other Salsburg owned properties direct payments to the Township of Edison for application towards, and amortization of, the referenced judgment; and

**WHEREAS**, among those Salsburg owned properties directed to make such payments was the Perth Amboy McDonald’s; and

**WHEREAS**, as a result of the application of such court ordered payments by various Salsburg owned, incoming producing properties, the Township’s judgment against Ms. Salsburg with respect to Washington Park Apartments was satisfied in full in May of 2003; and

**WHEREAS**, despite the full satisfaction of that judgment, the Perth Amboy McDonald’s, owed by Ms. Salsburg, continued to remit payments to the Township until mid-2015; and

**WHEREAS**, Ms. Salsburg passed away in early 2015, at which time her Estate began a dialogue with the Township, with respect to the fact that overpayments on the judgment satisfied in May of 2003 were continuing to be made to the Township by the Perth Amboy McDonald’s above referenced; and

**WHEREAS**, following continued dialogue, the Perth Amboy McDonald’s finally ceased making such payments in June of 2015; and

**WHEREAS**, following additional dialogue between the Parties, the Township has agreed to remit, to the Estate, the sum of \$112,343.57, in partial repayment to the Estate of the said overpayments, with said partial repayment to be made without prejudice to any of the Township’s rights respecting the sum of any additional amounts that may be in dispute with the Estate with respect to such overpayment.

**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 appropriate Township personnel be and are hereby authorized and directed to process a partial repayment of \$112,343.57, made payable to the Estate, to be paid from and in connection with the next Township bill list.
3. A certificate showing the availability of funds from the Chief Financial Officer of the Township for the making of said payment, has been provided in connection herewith.
4. This Resolution shall take effect immediately.

EXPLANATION: A Resolution requesting that the Commissioner of the New Jersey Department of Transportation authorize the road closing of Orchard Avenue in the Township for several months so that the County of Middlesex can proceed with necessary culvert replacement work

**RESOLUTION R.162-032016**

**WHEREAS**, the County of Middlesex (“County”) has determined, in the interest of public safety, a need for the reconstruction and replacement of Culvert 1-C-124 at Orchard Avenue over the tributary to Mill Brook in the Township of Edison (“Township”); and

**WHEREAS**, Orchard Avenue is an east-west transportation corridor serving local travel needs in the Township and is under the jurisdiction of the Township; and

**WHEREAS**, the reconstruction and replacement of Culvert 1-C-124 requires a detour for vehicular traffic on Orchard Avenue for a duration of approximately six (6) months; and

**WHEREAS**, the proposed detour will not conflict with any other anticipated detours in the area; and

**WHEREAS**, pursuant to *N.J.S.A. 39:4-8c(6)* and *N.J.A.C. 16:27-4.1(c)*, approval of the Commissioner of the New Jersey Department of Transportation (“NJDOT”) is required for any road closure on a non-State highway for a duration greater than forty-eight (48) hours; and

**WHEREAS**, the request for the NJDOT Commissioner’s approval includes submission of a Certification Report along with the proposed detour route and the Resolutions of Support for the roadway closure and the associated detour from the respective jurisdictions of the closed roadways and roadways utilized for the detour; and

**WHEREAS**, the required Certification Report dated September 23, 2015 prepared by Menlo Engineering Associates (“Report”) on behalf of the County was submitted, which provides a description of and justification for the proposed culvert replacement and the proposed detour; and

**WHEREAS**, the Report recommends that Orchard Avenue in the Township between Route 1 and the Township’s municipal boundary with the neighboring Borough of Metuchen at Middlesex County Culvert No. 1-C-124 be closed for the duration of the replacement project, expected to last six (6) months; and

**WHEREAS**, the Report indicates that during the aforesaid road closing the Township will utilize Amboy Avenue (north of Orchard Avenue) and Main Street (south of Orchard Avenue), both of which intersect Route 1, as detour routes; and

**WHEREAS**, the Township Engineer and Chief of Police have reviewed the Report and the detour, and recommend to the NJDOT, Bureau of Traffic Engineering that the NJDOT Commissioner approve the detour of Orchard Avenue in the Township for the purpose of said culvert replacement.

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

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

Section 2. The Municipal Council hereby requests that the Commissioner of NJDOT approve the temporary road closure of Orchard Avenue during the aforesaid culvert reconstruction, as recommended in the Report and as required by the County.

Section 3. Upon receipt of approval from the NJDOT Commissioner, the Municipal Council hereby authorizes the Chief of Police to take the necessary action to temporarily close Orchard Avenue in the Township between Route 1 and the Township’s boundary line with the Borough of Metuchen at Middlesex County Culvert No. 1-C-124 for a period of approximately six (6) months starting March, 2016 and ending September, 2016, and set up the attendant detour routes in the Township, so that the County may proceed with culvert reconstruction.

Section 4. The Township Clerk is hereby instructed to forward a certified copy of this Resolution to NJDOT, Bureau of Traffic Engineering, P.O. Box 600, Trenton, New Jersey 08625, Attn: Michael E. Mihalic, Supervisor and the municipal clerk of the Borough of Metuchen. A copy of this Resolution shall be maintained in the offices of the Township Clerk.

Section 5. This Resolution shall take effect immediately.

**RESOLUTION R.163-032016**

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$11,100,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016, OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS REQUIRED BY THE LOCAL FINANCE BOARD PURSUANT TO N.J.A.C. 5:30-2.5 AND CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS TO RBC CAPITAL MARKETS**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:**

**Section 1.** An amount not to exceed \$11,100,000 of General Obligation Refunding Bonds, Series 2016 of the Township of Edison, in the County of Middlesex, New Jersey (the "Township"), in specific amounts to be determined as provided herein and as more fully described in a refunding bond ordinance finally adopted by the Township pursuant to the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* on March 9, 2016, and entitled, "Refunding Bond Ordinance of the Township of Edison, in the County of Middlesex, New Jersey, Providing for the Refunding of All or a Portion of Certain General Obligation Bonds of 2007, Appropriating \$11,100,000 Therefor and Authorizing the Issuance by the Township of General Obligation Refunding Bonds, Series 2016, Consisting of General Improvement Refunding Bonds and Sewer Utility Refunding Bonds, in the Aggregate Principal Amount of Not Exceeding \$11,100,000 for Financing the Cost Thereof" shall be issued as "General Obligation Refunding Bonds, Series 2016" consisting of General Improvement Refunding Bonds (the "General Improvement Refunding Bonds") and Sewer Utility Refunding Bonds (the "Sewer Utility Refunding Bonds" and, together with the General Improvement Refunding Bonds, the "Bonds"), together with such additional sub-series designations as may be determined by the Chief Financial Officer of the Township.

**Section 2.** The Bonds are hereby authorized to be sold to RBC Capital Markets (the "Underwriter") at a purchase price determined by the parameters set forth below and otherwise consistent with the parameters set by the Local Finance Board in the Division of Local Government Services, Department of Community Affairs (the "Local Finance Board") pursuant to *N.J.A.C. 5:30-2.5* (the "LFB Refunding Parameters"):

- (a) the principal amount of the Bonds does not exceed \$11,100,000;

- (b) the net present value savings is at least three percent of the par amount of the Refunded Bonds (as defined herein);
- (c) the debt service on the Bonds shall be structured such that no annual debt service payment is more than the annual debt service payment on the Refunded Bonds in the same year;
- (d) the final year of maturity of the Bonds does not exceed the final year of maturity of the Refunded Bonds;
- (e) the debt service savings are substantially level in each year across the life of the refunding;
- (f) the True Interest Cost of the Bonds does not exceed an interest rate that would enable the Township to complete the refunding within the LFB Refunding Parameters; and
- (g) the Underwriter's discount does not exceed \$4.00 per \$1,000 of Bonds issued.

**Section 3.** The Mayor and/or the Chief Financial Officer are hereby authorized and directed, without further authorization, to enter into and execute a bond purchase contract (the "Purchase Contract") on behalf of the Township with the Underwriter in the form satisfactory to Bond Counsel (as defined herein) and upon terms consistent with the above parameters. Upon execution of the Purchase Contract, the signature of the Mayor and/or the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Underwriter, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Township Council.

**Section 4.** (a) The Bonds shall be issued in the par amounts consistent with the parameters set forth in Section 2 hereof and determined by the Chief Financial Officer to be necessary to pay costs of issuance and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the redemption price of and interest on the (i) \$8,065,500 outstanding principal amount of the Township's General Improvement Bonds, originally issued in the principal amount of \$29,675,500, dated June 1, 2007, which amount matures on June 1 in each of the years 2020 through 2022, inclusive (the "General Improvement Refunded Bonds"), and (ii) \$1,731,500 outstanding principal amount of the Township's Sewer Utility Bonds, originally issued in the principal amount of \$2,266,500, dated June 1, 2007, which amount matures on June 1 in each of the years 2020 through 2037,



inclusive (the "Sewer Utility Refunded Bonds" and, together with the General Improvement Refunded Bonds, the "Refunded Bonds").

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Township as determined in the Purchase Contract.

(d) The Bonds shall mature in serial and/or sinking fund installments in the years 2016 to 2037, inclusive, or such other years and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds may be subject to redemption prior to their stated maturities on terms approved by the Chief Financial Officer.

(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds of each series maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of the Securities Depository and its participants.

(g) The principal of and the interest on the Bonds will be paid to the Securities Depository by the Township on the respective principal and interest payment dates and will be credited on the respective principal and interest payment dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of the 15<sup>th</sup> day prior to such principal and interest payment dates (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer

under the official seal of the Township (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

**Section 5.** The Mayor and/or Chief Financial Officer are each hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Mayor and/or Chief Financial Officer to be executed upon delivery of the Bonds, each such cost in an amount not to exceed the amount set forth in Exhibit A attached hereto or, if in any greater amount, only upon the prior approval of the Township in accordance with the customary procedure for approval and payment of bills.

**Section 6.** The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds:

**Section 7(a).** In each of the General Improvement Refunding Bonds, the following language shall be inserted in the places indicated by the corresponding letter in form of the General Improvement Refunding Bonds:

- A. GIRB;
- B. GENERAL IMPROVEMENT.

**Section 7(b).** In each of the Sewer Utility Refunding Bonds, the following language shall be inserted in the places indicated by the corresponding letter in form of the Sewer Utility Refunding Bonds:

- A. SURB;
- B. SEWER UTILITY.

**Section 8.** The law firm of McManimon, Scotland & Baumann, LLC (“Bond Counsel”) is authorized to arrange for the printing of the Bonds. The proper officials of the Township are hereby authorized and directed to execute the Bonds and to deliver them to the purchaser upon receipt of payment therefor.

**Section 9.** The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel, complete except for omission of its date. The Clerk is hereby authorized and directed to certify the truth and the correctness of the copy of such opinion by executing on each of the Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

**Section 10.** The Bonds are being issued to refund the Refunded Bonds. The Chief Financial Officer shall take all steps necessary to redeem the Refunded Bonds on the first available redemption date at the applicable

redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Chief Financial Officer is hereby authorized to enter into an agreement with a bank (the "Escrow Deposit Agreement") to effectuate the purpose of this Section 10.

**Section 11.** The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code.

**Section 12.** The Township hereby approves the preparation and the distribution of the Official Statement on behalf of the Township in the form approved or to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Mayor or the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds and the Mayor and/or the Chief Financial Officer of the Township are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds.

**Section 13.** The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

**Section 14.** In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor securities depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the

beneficial owner's name, will become the registered owner of such Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

**Section 15.** (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(i) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31 of the year in which the Bonds are issued, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "MSRB"), annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) Township and overlapping indebtedness including a schedule of outstanding debt issued by the Township, (ii) property valuation information, and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB;

(ii) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB notice of any of the following events with respect to the Bonds (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability. Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;

- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person;

- (iii) in a timely manner to the MSRB notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution.

- (b) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

- (c) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

- (d) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this certificate, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

(e) The undertaking may be amended by the Township from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

(f) There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or market position of firms who may make the secondary market and the financial condition of the Township may affect the future liquidity of the Bonds.

**Section 16.** The Mayor, the Chief Financial Officer, the Clerk and other appropriate representatives of the Township are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Township, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby.

**Section 17.** This resolution shall take effect immediately.

**EXPLANATION:** This Resolution authorizes the Mayor to execute the attached Developer's Agreement with the New Jersey Carpenters' Pension Fund with respect to the property located at 75 Fieldcrest Avenue in Edison.

**RESOLUTION R.164-032016**

**WHEREAS,** the property identified as Block 390.F, Lot 4 as shown on the Edison Township tax map (the "Property," commonly referred to as 75 Fieldcrest Avenue) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board") made by New Jersey Carpenters' Pension Fund ("Developer") to construct a new two-story 99,500 square foot office training facility and multi-level parking garage (the "Project"); and

**WHEREAS,** the Board granted final site plan approval for the Project by resolution memorialized on August 10, 2015 ("Resolution"); and

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

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

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

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

**EXPLANATION:** A Resolution authorizing the entering of a Indemnification and Access Agreement with the Township of Woodbridge to facilitate its use of a vacant building owned by Edison for security training purposes.

**RESOLUTION R.165-032016**

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

**WHEREAS**, the Township owns a vacant and poorly maintained glass, concrete and metal-side building that was transferred to the Township as part of the 1995 Defense Base Realignment and Closure (BRAC) Commission closure action of the Sgt. Joyce Kilmer U.S. Army Reserve Center (“Building 1072”) that is slated for demolition; and

**WHEREAS**, the Township of Woodbridge (“Woodbridge”) seeks to supervise and run an active shooter training program at Building 1072 (“Training Exercises”); and

**WHEREAS**, the Township has agreed to allow Woodbridge to access Building 1072 so that Woodbridge may utilize same for the Training Exercises over the course of several days, and the Parties have agreed to set forth the terms and conditions of such use in an indemnification and access agreement (“Agreement” in the form attached hereto as Exhibit A); and

**WHEREAS**, subject to and conditioned upon Woodbridge’s compliance with the terms of the Agreement, the Township is willing to grant Woodbridge a limited license so that Woodbridge may access Building 1072 and conduct its Training Exercises; and

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

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor to execute the Agreement (in substantially the form attached hereto as Exhibit A) on behalf of the Township, with such changes and substitutions as deemed necessary by the Mayor in his discretion in consultation with counsel. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. This Resolution shall take effect immediately.



**EXPLANATION:** This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Open Road of Central Jersey, LLC with respect to the property identified as Block 337.K, Lot 7-A, 8, 9, 10.E and 10.D1 (1948-1979 Woodbridge Avenue) as shown on the Edison Township tax map.

**RESOLUTION R.166-032016**

**WHEREAS,** the property identified as Block 337.K, Lot 7-A, 8, 9, 10.E and 10.D1 as shown on the Edison Township tax map (the "Property," commonly referred to as 1948-1970 Woodbridge Avenue) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board") made by Open Road of Central Jersey, LLC ("Developer") for bulk variance relief and the approval of a preliminary and final site plan to permit the construction of a new 25, 289 square foot automobile dealership building, to include supporting parking areas and associated landscaping and signage (the "Project"); and

**WHEREAS,** the Board granted final site plan approval for the Project by adoption of a resolution on March 16, 2015 ("Resolution"); and

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

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

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

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

**EXPLANATION:** Resolution Refunding Engineering Inspection Fees to EJ-Ferreira  
Account 7763090766

**RESOLUTION R.167-032016**

**WHEREAS**, the Township Engineer advises that a final inspection was made on the above subject located in Block: 390-L Lot: 12

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

**WHEREAS**, it is in now in order that the sum of \$14,117.02, which represents the amount due and owing the applicant, be returned to EJ Ferreira Construction, 31 Tannery Road Branchburg, NJ 08876 Account #7763090766

**NOW THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum of \$14,117.02 plus accrued interest, if applicable, be refunded to the applicant, Account #7763090766

**BE IT FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund said sum of **\$14,117.02** in account #**7763090766** to the applicant, having an address of 31 Tannery Road, Branchburg, NJ 08876

**EXPLANATION:** This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

**RESOLUTION R.168-032016**

**WHEREAS**, on November 18,2015, a Construction Permit fee, check #5303, permit #2015-4878, was posted in the total amount of \$377.00 by the contractor, Meyer & Depew Co. Inc., having offices at 309 Lafayette Ave., Kenilworth, NJ, 07033 ; and

**WHEREAS**, the application was submitted for a Furnace & A.C. at 58 Laura Ave., Edison, NJ 08820, by the hired contractor; Meyer & Depew Co. Inc., who did not make known to the Construction Code Enforcement Division that the homeowner, Ernest Capria, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$375.00, derived from the \$377.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the contractor A Meyer & Depew Co. Inc.; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-4878, in the amount of \$375.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$375.00 on construction permit fees posted by Meyer & Depew Co. Inc. for 58 Laura Ave. be refunded to the contractor;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$377.00 from the Refund of Revenue Fund to the Contractor, Meyer & Depew Co. Inc., 309 Lafayette Ave., Kenilworth, NJ, 07033.

**RESOLUTION R.169-032016**

**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 STO0000158, to the following:

<b>Permit Number:</b>	<b>0288</b>
<b>Opening Location:</b>	<b>215 Sylvan Dell Avenue</b>
<b>Block/Lot:</b>	<b>338/38.01</b>
<b>Applicant's Name &amp; Address:</b>	<b>American Dream Home Improvement 131 Winding Wood Drive Sayreville, NJ 08872</b>
<b>Initial Deposit Date:</b>	<b>04/13/15</b>
<b>Deposit Amount:</b>	<b>\$384.00</b>
<b>Paid by &amp; refunded to:</b>	<b>CEA Home Improvement 216 Jarvis Road Sicklerville, NJ 08081-2142</b>

**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.170-032016**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO A-PLUS CONSTRUCTION, INC. FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

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

**WHEREAS**, quotes were received by the Township of Edison for Case Number 0315; and

**WHEREAS**, A-PLUS CONSTRUCTION, INC., 18 Station Road, Lincoln Park, NJ 07035, submitted the lowest quote in the amount of \$20,100.00 and funds in the amount of \$20,100.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-15-0510-000-001; and

**WHEREAS**, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

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

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

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

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

1. Quotes have been reviewed and the quote in the amount of \$20,100.00 by A-PLUS CONSTRUCTION, INC., 18 Station Road, Lincoln Park, NJ 07035 for home improvements (Case #0315) is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$20,100.00 and any other necessary documents, with A-PLUS CONSTRUCTION
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$20,100.00** are available for the above contract in Account No. **T-14-15-0510-000-001**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.171-032016**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF GENERATOR MAINTENANCE AND REPAIR WITH ATLANTIC SWITCH & GENERATOR LLC IN AN AMOUNT NOT TO EXCEED \$65,000.00**

**WHEREAS**, ATLANTIC SWITCH & GENERATOR LLC, 4108 Sylon Blvd, Hainesport, NJ 08036 was awarded Contract No. 15-10-03 Generator Maintenance and Repairs for the period October 16, 2015 to October 15, 2016 in the amount of \$15,000.00 and that amount has been depleted; and

**WHEREAS**, a resolution was not required as the contract amount of \$15,000.00 was under the mandatory amount of council approval; and

**WHEREAS**, the Township recommends authorizing additional funds in the amount not to exceed \$50,000.00, in addition to the original amount of \$15,000.00, for a total contract amount not to exceed \$65,000.00 to replenish and complete the one year term of the contract with ATLANTIC SWITCH & GENERATOR LLC; with all prices, terms and conditions to remain the same until such time the contract expires or we award a new contract; and

**WHEREAS**, the total amount of this contract, not to exceed \$65,000.00, cannot be encumbered at this time; and

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

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

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

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract for a total contract amount not to exceed \$65,000.00, and any other necessary documents, with ATLANTIC SWITCH & GENERATOR LLC described herein.

**RESOLUTION R.172-032016**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE  
ORDER TO RESCUE PHONE INC. FOR A HOSTAGE NEGOTIATION TOOL FOR THE DIVISION OF  
POLICE**

**WHEREAS**, quotes were solicited by the Township of Edison for a hostage negotiation tool for the Division of Police; and

**WHEREAS**, RESCUE PHONE INC., 2146 Priest Bridge Court, Suite 3, Crofton, Maryland 21114 submitted the lowest quote in the amount of \$22,985.00; and

**WHEREAS**, funds in the amount of \$22,985.00 have been certified to be available in the Various Equipment for Police Department Account, number C-04-15-1914-240-000; and

**WHEREAS**, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

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

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

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

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

1. Quotes have been reviewed and the quote in the amount of \$22,985.00 by RESCUE PHONE INC., 2146 Priest Bridge Court, Suite 3, Crofton, Maryland 21114 for a hostage negotiation tool is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/Purchase Order in the amount of \$22,985.00 and any other necessary documents, with RESCUE PHONE INC.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$22,985.00** are available for the above contract in Account No. **C-04-15-1914-240-000**.

/s/ Nicholas C. Fargo  
Chief Financial Officer