

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, March 23, 2015
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 11, 2014 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Worksession of February 23, 2015
 - b. Worksession of March 9, 2015
 - c. Regular Meeting of January 14, 2015
 - d. Combined Meeting of January 28, 2015
6. **ADMINISTRATIVE AGENDA:
FROM MAYOR THOMAS LANKEY:**
 - a. Appointment of Members to the Fair Rental Housing Board.
 - b. Appointment of Members to the Municipal Alliance Committee.
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution rejection the sole bid for broadcast hardware.
 - b. Awarding of Contracts for Public Bid No. 15-04-11 Sports Uniforms and clothing.
10. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 19, 2015.
 - b. Resolution authorizing refund in the amount of \$284,342.00 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$17,361.39.
 - d. Resolutions authorizing overpayment refund caused by Successful Tax Court Appeal.

- e. Resolution authorizing additional funds for payments of Appraisal Service for Tax Court Appeals to Value Research Group for the year 2014 in an amount of \$26,742.50.
 - f. Resolution authorizing additional funds for Appraisal Services for Tax Court Appeals to Value Research Group in an amount not to exceed \$45,000.00 for 2015.
11. **FROM THE DEPARTMENT OF LAW:**
- a. Ordinance approves an Amendment to the Access Easement and Stipulation of Settlement relating Block 595-C, Lot 2 to provide access to the Visco Property for County Open Space purposes.
 - b. Resolution authorized the Mayor to execute the attached Developers Agreement with Edison RX Development, LLC with respect to the property identified as Block 546B Lot 43.A as show on the Edison Township Tax map.
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution refunding inspection fees.
 - b. Award Contract for Public Bid No. 15-29-01 Emergency By Pass Connections and Wet Well Rehabilitation for Pump Stations.
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution authorizing the purchase of Two Tandem Axle Dump Trucks with Snow Plows through the Middlesex County Cooperative Pricing Agreement – State Coop. #71-MCCPS.
 - b. Resolution authorizing the purchase of Automotive and Light Duty Truck Parts through the Somerset County Cooperative Pricing System.
 - c. Awarding contract for Public Bid No. 15-08-25 Sewer Pump Rentals.
14. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Firefighter
 - b. Awarding Contract/Purchase order for Three (3) Panasonic Field Toughpads with protection plans.
15. **FROM THE CHIEF OF POLICE:**
- a. Resolution for 2015 Distracted Driving Statewide Crackdown Grant Application and initiative.
 - b. Awarding of Contract/Purchase order for Emergency Notification System.
 - c. Resolution authorizing a Public Sale f Twenty Five (25) vehicles found abandoned and were recovered by the Edison Police Division.
16. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
17. **UNFINISHED BUSINESS:**

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

O.1898-2015 AN ORDINANCE CREATING THE NEW FLEXIBLE BUSINESS ZONE.

18. **DISCUSSION ITEMS:**

Council President Diehl

None

Councilmember Gomez

None

Councilmember Karabinchak

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

Councilmember Shah

None

19. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 19, 2015

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through March 19, 2015

| FUND | AMOUNT |
|----------------------|------------------------|
| Current | \$25,668,906.46 |
| Affordable Housing | 0.00 |
| Capital | 317,688.83 |
| Cash Performance | 0.00 |
| CDBG | 0.00 |
| Developers Escrow | 32,946.56 |
| Dog (Animal Control) | 3,803.89 |
| Federal Forfeited | 813.00 |
| Grant Funds | 2,631.88 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |
| Payroll Deduction | 856,992.27 |
| Sanitation Fund | 109,330.59 |
| Sewer Utility | 51,788.13 |
| Tax Sale Redemption | 195,134.82 |
| Street Opening | 0.00 |
| Tree Planting | 1,875.00 |
| Trust | 48,059.86 |
| TOTAL | \$27,289,971.29 |

/s/ Agnes Yang
Acting 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 REJECTING THE SOLE BID FOR BROADCAST HARDWARE

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on February 4, 2015 for Public Bid No. 15-02-02 BROADCAST HARDWARE with a bid opening date of March 4, 2015; and

WHEREAS, there was one bidder; and the price of this bid was a total of \$61,521.00 which substantially exceeds the cost estimate; and

WHEREAS, Section 40A:11-13.2 of the Local Public Contracts Law allows for the rejection of all bids; and

WHEREAS, The Township of Edison desires to reject all bids under Section 40A11-13.2a - the lowest bid substantially exceeds the cost estimate for the goods or services.

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

1. The sole bid for Public Bid No. 15-02-02 BROADCAST HARDWARE is hereby rejected pursuant to N.J.S.A 40A:11-13.2a.
2. The Purchasing Agent is hereby authorized to rebid said project.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO METUCHEN CENTER INC. FOR
THE FURNISHING OF SPORTS UNIFORMS AND CLOTHING**

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, METUCHEN CENTER INC., 10-12 Embroidery St., Sayreville, NJ 08872 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$8,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by METUCHEN CENTER INC., 10-12 Embroidery St., Sayreville, NJ 08872 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$8,000.00 and any other necessary documents, with METUCHEN CENTER INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DREW & ROGERS, INC. FOR THE FURNISHING OF SPORTS/SAFETY UNIFORMS AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$7,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$7,000.00 and any other necessary documents, with DREW & ROGERS, INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RIDDELL/ALL AMERICAN FOR
THE FURNISHING OF SPORTS/SAFETY UNIFORMS AND EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, RIDDELL/ALL AMERICAN, 669 Sugar Lane, Elyria, OH 44035 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$3,500.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by RIDDELL/ALL AMERICAN, 669 Sugar Lane, Elyria, OH 44035 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$3,500.00 and any other necessary documents, with RIDDELL/ALL AMERICAN.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION

WHEREAS, 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 said tax sale certificates have been redeemed thereof, and 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 Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$284,342.00**.

March 25, 2015

RESOLUTION

Whereas, 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 said overpayments, totaling \$17,361.39 and

Whereas, the attached listing is a detail of the requested refund.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Director of Finance shall and is hereby authorized to draw checks to the parties in the amounts specified on the attached listing.

March 25, 2015

RESOLUTION

Whereas, 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 said overpayments, totaling \$17,361.39 and

Whereas, the attached listing is a detail of the requested refund.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Director of Finance shall and is hereby authorized to draw checks to the parties in the amounts specified on the attached listing.

March 25, 2015

RESOLUTION
Authorizing Overpayment Refund caused by
Successful Tax Court Appeal

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

| | |
|-------------------------|------------------------|
| TAXPAYER | J C P & L C/O TAX DEPT |
| PROPERTY LOCATION | HILL RD. |
| BLOCK / LOT / QUALIFIER | 643.DD/39.B |

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

| DOCKET NUMBER | TAX YEAR | ASSESSMENT |
|---------------|----------|------------|
| 014531-2011 | 2011 | 175,900 |
| 015805-2012 | 2012 | 175,900 |
| 015508-2013 | 2013 | 175,900 |
| 014472-2014 | 2014 | 175,900 |

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$5,943.53** for the years as follows:

| TAX YEAR | TAX AMOUNT |
|----------|------------|
| 2011 | 1,455.48 |
| 2012 | 1,470.72 |
| 2013 | 1,485.34 |
| 2014 | 1,531.99 |

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 **\$5,943.53**.

March 25, 2015

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR PAYMENT FOR APPRAISAL SERVICES FOR TAX COURT APPEALS TO VALUE RESEARCH GROUP FOR THE YEAR 2014 IN AN AMOUNT OF \$26,742.50

WHEREAS, VALUE RESEARCH GROUP, LLC, 301 South Livingston Avenue, #104, Livingston, NJ 07039, was awarded a contract for Appraisal Services for Tax Court Appeals on April 9, 2014 through Resolution 148-042014 for a one year period effective April 28, 2014 in the amount of \$80,000.00 and those funds have been depleted; and

WHEREAS, there are outstanding bills due for the year 2014 in the amount of \$26,742.50; and

WHEREAS, funds in the amount of \$13,510.94 have been certified to be available in the Tax Assessment, Other Professional Services Account, Number 4-01-20-0150-000-028 and funds in the amount of \$13,231.56 have been certified to be available in the Finance Department – Other Professional Services, Account 4-01-20-0130-001-028; and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to **VALUE RESEARCH GROUP, LLC**, 301 South Livingston Avenue, #104, Livingston, NJ 07039, as stated herein.

CERTIFICATION

I hereby certify that funds in the amount of **\$13,510.94** are available for the above in Account No. **4-01-20-0150-000-028** and funds in the amount of **\$13,231.56** are available in Account No. **4-01-20-0130-001-028**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR PAYMENT FOR APPRAISAL SERVICES FOR TAX COURT APPEALS TO VALUE RESEARCH GROUP FOR THE YEAR 2014 IN AN AMOUNT OF \$26,742.50

WHEREAS, VALUE RESEARCH GROUP, LLC, 301 South Livingston Avenue, #104, Livingston, NJ 07039, was awarded a contract for Appraisal Services for Tax Court Appeals on April 9, 2014 through Resolution 148-042014 for a one year period effective April 28, 2014 in the amount of \$80,000.00 and those funds have been depleted; and

WHEREAS, there are outstanding bills due for the year 2014 in the amount of \$26,742.50; and

WHEREAS, funds in the amount of \$13,510.94 have been certified to be available in the Tax Assessment, Other Professional Services Account, Number 4-01-20-0150-000-028 and funds in the amount of \$13,231.56 have been certified to be available in the Finance Department – Other Professional Services, Account 4-01-20-0130-001-028; and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to **VALUE RESEARCH GROUP, LLC**, 301 South Livingston Avenue, #104, Livingston, NJ 07039, as stated herein.

CERTIFICATION

I hereby certify that funds in the amount of **\$13,510.94** are available for the above in Account No. **4-01-20-0150-000-028** and funds in the amount of **\$13,231.56** are available in Account No. **4-01-20-0130-001-028**.

Agnes Yang
Acting Chief Financial Officer

Date

EXPLANATION: This Ordinance approves an amendment to the Access Easement and Stipulation of Settlement relating Block 595-C, Lot 2 to provide access to the Visco Property for County open space purposes.

ORDINANCE

EDISON TOWNSHIP

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

WHEREAS, the Township and the Municipal Council of the Township of Edison were named as defendants in the matter of: South Congregation of Jehovah's Witnesses Edison, NJ, Inc. and Dolores Visco, v. Edison Township Planning Board; Township of Edison and Municipal Council of the Township of Edison; and State of New Jersey, bearing Superior Court of New Jersey, Law Division Docket No.: MID-206-10 (the “**Litigation**”); and

WHEREAS, pursuant to the settlement under a stipulation of settlement relating to the Litigation (the “**Stipulation of Settlement**”), the Township was to undertake the steps required to submit a request to the New Jersey Department of Environmental Protection, Green Acres Program to permit a roadway easement across the Township-owned property at the end of Alexis Lane being Block 595-C, Lot 2 (the “**Property**”); and

WHEREAS, the Township secured approval to amend their Recreation and Open Space Inventory (“**ROSI**”) pursuant to N.J.A.C. 7:36-25.3 to remove a portion of Block 595-C, Lot 2 from the ROSI containing approximately 0.10 acres in area, in connection with the proposed extension of Alexis Lane to provide legal access to a landlocked parcel of property owned by Dolores Visco, and identified as part of Block 595-B, Lots 1-31,32A-53A, 54-56; Block 595-D, Lots 5-56, and Block 595-F, Lot 2 on the Township Tax Maps (the “**Visco Parcels**”); and

WHEREAS, the Township executed an Access Easement dated December 19, 2013 (the “**Access Easement**”) granting access to the Visco Parcels over the Property in accordance with the terms of the Stipulation of Settlement for “religious purposes”; and

WHEREAS, the Visco Parcels are now being sold to the County of Middlesex for county open space purposes and in furtherance thereof, the Township is being asked to approve amendments to the Access Easement and the Stipulation of Settlement to permit access across the Property for open space and/or recreational purposes; and

WHEREAS, the Township has determined that the use of the Property for access for open space and/or recreational purposes is in the best interests of the residents of the Township and the county.

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 approves and authorizes the Mayor to execute the amendment to the Stipulation of Settlement, substantially in the form attached hereto as **Exhibit A** with such amendments, changes, revisions or modifications deemed necessary by the Mayor in consultation with the Township staff and professionals.
3. The Municipal Council hereby approves and authorizes the Mayor to execute an amendment to the Access Easement to reflect the fact that the access will be limited to county open space and/or recreational purposes and such other changes, revisions and amendments deemed necessary by the Mayor in consultation with the Township staff and professionals.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining

portions of this Ordinance.

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

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

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison Rx Development, LLC with respect to the property identified as Block 546.B, Lot 43.A as shown on the Edison Township tax map.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, the property identified as Block 546.B, Lot 43.A as shown on the Edison Township tax map (the "Property," commonly referred to as 1620 Oak Tree Road) was the subject of an application before the Zoning Board of Adjustment of the Township of Edison (hereinafter the "Board") made by Edison Rx Development, LLC ("Developer") for bulk and use variance relief and the approval of a preliminary and final site plan to permit the construction of a 9,433 square foot retail pharmacy building, to include 24 parking spaces and associated landscaping and signage (the "Project"); and

WHEREAS, the Board granted final site plan approval for the Project by resolution memorialized on April 19, 2014 ("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 Inspection Fees to Anthony Lam-1090Amboy Avenue
Application #P33-03/04 Account #7200025063

RESOLUTION

WHEREAS, the Acting Township Engineer advises that a final inspection was done of 1090 Amboy Avenue Application #P33-03/04 located in Block: 693, Lot: 1

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

WHEREAS, on June 1, 2005 Anthony Lam posted inspection fees in the amount of \$2,300.55 on deposit with the Township of Edison in account #7200025063 for inspection fees; and

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 \$699.13, if applicable, which represents the amount due and owing the applicant, be returned to Anthony Lam, having offices at 320 62nd Street, West New York, N.J. 07093.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$699.13, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Acting Director of Finance be and is hereby authorized to refund said sum of \$699.13, in account #7200025063 to the applicant.

PC/sb

S-Karen-RetResoInspFeeRefund-AnthonyLam-1090AmboyAve

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
MONTANA CONSTRUCTION CORP., INC. FOR EMERGENCY BYPASS CONNECTIONS AND WET
WELL REHABILITATION FOR PUMP STATIONS IN THE TOWNSHIP OF EDISON**

WHEREAS, bids were received by the Township of Edison on March 10, 2015 for Public Bid No. 15-29-01 EMERGENCY BYPASS CONNECTIONS AND WET WELL REHABILITATION FOR PUMP STATIONS for the Township of Edison; and

WHEREAS, MONTANA CONSTRUCTION CORP., INC., 80 Contant Avenue, Lodi, NJ 07644 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$1,293,000.00; and

WHEREAS, funds in the amount of \$1,293,000.00 have been certified to be available in the Various Sewer Improvements Account, Number C-08-14-1873-001-000; and

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

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

1. All bids have been reviewed, and the bid submitted by MONTANA CONSTRUCTION CORP., INC., 80 Contant Avenue, Lodi, NJ 07644 for the furnishing of emergency bypass connections and wet well rehabilitation for pump stations in the Township of Edison is determined to be the lowest legally responsible, responsive bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,293,000.00, and any other necessary documents, with MONTANA CONSTRUCTION CORP., INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$1,293,000.00** are available for the above contract in Account No. **C-08-14-1873-001-000**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO TANDEM AXLE DUMP TRUCKS WITH SNOW PLOWS FROM CAMPBELL FREIGHTLINER THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831 is the vendor awarded the bid for the furnishing and delivery of Tandem Axle Dump Trucks with Plow under Bid Number B-14-13-R through the MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS; and

WHEREAS, the Township of Edison wishes to purchase two tandem axle dump trucks with snow plows through this cooperative pricing system; and

WHEREAS, the total amount of this purchase will be \$414,054.00 (\$207,027.00 each); and

WHEREAS, funds in the amount of \$414,054.00 have been certified to be available in the Acquisition of Vehicles and Equipment Account, Number C-04-15-1895-310-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$414,054.00 with CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831, the approved MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS vendor through this resolution, which shall be subject to all the conditions applicable to the current MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$414,054.00** are available for the above in Account No. **C-04-15-1895-310-000**.

Agnes Yang

Acting Chief Financial Officer

Date

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO TANDEM AXLE DUMP TRUCKS WITH SNOW PLOWS FROM CAMPBELL FREIGHTLINER THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831 is the vendor awarded the bid for the furnishing and delivery of Tandem Axle Dump Trucks with Plow under Bid Number B-14-13-R through the MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS; and

WHEREAS, the Township of Edison wishes to purchase two tandem axle dump trucks with snow plows through this cooperative pricing system; and

WHEREAS, the total amount of this purchase will be \$414,054.00 (\$207,027.00 each); and

WHEREAS, funds in the amount of \$414,054.00 have been certified to be available in the Acquisition of Vehicles and Equipment Account, Number C-04-15-1895-310-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$414,054.00 with CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831, the approved MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS vendor through this resolution, which shall be subject to all the conditions applicable to the current MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$414,054.00** are available for the above in Account No. **C-04-15-1895-310-000**.

Agnes Yang

Acting Chief Financial Officer

Date

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA FOR SEWER PUMP RENTALS

WHEREAS, bids were received by the Township of Edison on February 25, 2015 for Public Bid No.15-08-25, Sewer Pump Rentals, for the Department of Public Works; and

WHEREAS, XYLEM DEWATERING SOLUTIONS INCORPORATED, D/B/A GODWIN PUMPS OF AMERICA, 6 Connerty Court, East Brunswick, NJ 08816, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$50,000.00 cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA, 6 Connerty Court, East Brunswick, NJ 08816 for Sewer Pump Rentals for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00 and any other necessary documents, with XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA as described herein.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW
GOVERNMENT, LLC FOR THE PURCHASE OF THREE (3) PANASONIC FIELD
TOUGHPADS WITH PROTECTION PLANS FOR THE FIRE DIVISION**

WHEREAS, there is a need for three (3) Panasonic Field Toughpads with protection plans for the Fire Division (Fire Prevention Vehicles); and

WHEREAS, CDW GOVERNMENT, LLC, 230 N Milwaukee Ave, Vernon Hills, IL 60061 has been awarded State Contract Number 75583 under M-0483 WSCA COMPUTER CONTRACT; 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 maximum amount of the purchase shall not exceed \$11,220.00 (\$3,740.00 each); and

WHEREAS, funds in the amount of \$11,220.00 have been certified to be available in the Fire Prevention Office Equipment, Account #5-01-25-0265-002-053, 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 \$11,220.00, and any other necessary documents, with CDW GOVERNMENT, LLC, 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. 75583 under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,220.00** are available for the above in Account No. **5-01-25-0265-002-053**.

Agnes Yang
Acting Chief Financial Officer

Date

Resolution

2015 Distracted Driving Statewide Crackdown Grant Application and Initiative

Whereas, the Division of Police wishes to apply for grant funding in the amount of \$5000.00 to provide additional manpower hours to crack down on distracted drivers; and

Whereas, the number of people killed nationwide in distraction-affected crashes were 3,328 in 2012. An estimated 421,000 people were injured in motor vehicle crashes involving a distracted driver, this was a nine percent increase from the estimated 387,000 people injured in 2011; and

Whereas, an enforcement crackdown is planned to combat violations related to distracted driving; and

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

Whereas; the project will involve increased enforcement from April 1-21, 2015; and

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

Therefore, be it resolved that the Edison Township Council and the Division of Police declares our support for the grant application and participation in the 2015 Distracted Driving Statewide Crackdown Grant between April 1-21, 2015 and pledges to increase awareness of laws pertaining to distracted drivers.

Be It Further Resolved, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO SHI
INTERNATIONAL CORPORATION FOR THE PURCHASE OF THE EMERGENCY
NOTIFICATION SYSTEM FOR THE DIVISION OF POLICE**

WHEREAS, there is a need for an emergency notification system for the Division of Police; and

WHEREAS, SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 has been awarded State Contract Number 77560 under M-0003 Software License & Related SER; 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 maximum amount of the purchase shall not exceed \$28,352.50; and

WHEREAS, funds in the amount of \$28,352.50 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment 5-01-25-0250-000-026, and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$28,352.50, and any other necessary documents, with SHI INTERNATIONAL CORPORATION 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. 77560 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,352.50** are available for the above in **Account No. 5-01-25-0250-000-026**.

Agnes Yang

Acting Chief Financial Officer

Date

EXPLANATION: An Ordinance creating the new Flexible Business Zone.

EDISON TOWNSHIP

ORDINANCE O.1898-2015

WHEREAS, the Municipal Council (“Council”) of the Township of Edison (“Township”) recognizes that it has a responsibility in these difficult economic times to ensure that it does everything possible to retain businesses and attract new ratables to offset losses in revenue; and

WHEREAS, the Council believes it must provide every tool possible to businesses to assist them in maximizing their potential; and

WHEREAS, the Council believes that by providing certain incentives, businesses in the Township will be able to grow, increase opportunities and revenues and create both temporary and permanent jobs; and

WHEREAS, the Council wishes to create a new zoning district and change the zoning regulations for certain properties, as set forth herein, pursuant to the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.* (“MLUL”); and

WHEREAS, the new zoning district shall be titled the Flexible Business Zone (“FBZ”), and Chapter 37 of the Township Code (“Code”) shall be amended to reflect the additions and changes described herein; and

WHEREAS, prior to the Council’s second hearing on the adoption of this Ordinance it shall be referred to the Planning Board as required by *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law.

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

SECTION I. Section 37-2 of Chapter XXXVII Zoning of the Code is hereby amended as follows:
[Note to Codifier: Insert new FBZ in to the list of Districts.]¹

37-2 DISTRICTS ESTABLISHED; MAP.

37-2.1 Establishment of Districts.

a. Districts. For the purpose of this chapter, the Township is divided into various zoning districts as follows:

FBZ

Flexible Business Zone

SECTION II. Section 37-35 of Chapter XXXVII Zoning of the Code which is presently "Reserved" is hereby amended as follows:

[Note to Codifier: New Section 37-35 has not been underlined, for the convenience of the reader.]

37-35 Flexible Business Zone

37-35.2 FBZ Flexible Business Zone

A. Permitted Uses. Any property in the FBZ Flexible Business Zone may be developed and used for the permitted uses and in accordance with the development standards in the zoning district in which the property is situated, and, may also be developed and used for the permitted uses and in accordance with the development standards for the following zoning districts:

¹ Additions are indicated by underline; and, deletions by ~~strikeout~~

| | |
|-------|---------------------------------------|
| G-B | General Business District |
| G-BH | General Business District |
| L-I | Light Industrial District |
| O-S | Office-Service District |
| O-S-1 | Office-Service District |
| O-S-2 | Office-Service District |
| R-I | Restricted Industrial District |
| R-I-1 | Restricted Industrial District |
| RRRD | Raritan River Revitalization District |

B. Accessory Uses. Any property in the Flexible Business Zone may be developed and used for the accessory uses and in accordance with the development standards in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the accessory uses for that zoning district are allowed.

C. Conditional Uses.

1. Any property in the Flexible Business Zone may be developed and used for the conditional uses and in accordance with the development standards in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the conditional uses for that zoning district are allowed.
2. Notwithstanding the foregoing, gasoline stations or automobile service stations shall only be conditional uses and also subject to the following conditions:
 - a. The maximum number of fuel dispensers shall not exceed eight (8).
 - b. Shall contain an accompanying convenience store with a minimum of 5,000 square feet. Stand alone stations shall not be permitted.
 - c. The minimum distance between gasoline stations or automobile service stations on the same side of the road shall be 3,000 feet.

D. Prohibited Uses.

1. The prohibited uses for any property in the Flexible Business Zone shall be those in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the prohibited uses for that zoning district shall also be prohibited in the Flexible Business Zone.

2. Notwithstanding the foregoing, residential uses are prohibited in the Flexible Business Zone

SECTION III. The zoning district classifications for the following properties in the Township are changed as follows:

| STREET | BLOCK | LOT | CURRENT ZONE | NEW ZONE |
|-----------------|-------|-------|--------------|----------|
| Woodbridge Ave. | 390 | 51 | RRRD | FBZ |
| Woodbridge Ave. | 390 | 47-B | RRRD | FBZ |
| Woodbridge Ave. | 390 | 48-A | RRRD | FBZ |
| Woodbridge Ave. | 390 | 48-B | RRRD | FBZ |
| Woodbridge Ave. | 390 | 49-A | RRRD | FBZ |
| Woodbridge Ave. | 390 | 50-A | LI | FBZ |
| Woodbridge Ave. | 396 | 5.01 | AHOZ-2/GB | FBZ |
| Woodbridge Ave. | 396 | 10 | LI | FBZ |
| Woodbridge Ave. | 390-A | 2 | RRRD | FBZ |
| Woodbridge Ave. | 390-A | 3 | RRRD | FBZ |
| Woodbridge Ave. | 390-A | I-A-4 | RRRD | FBZ |
| Woodbridge Ave. | 390-F | 2 | RRRD | FBZ |
| Woodbridge Ave. | 390-F | 3 | RRRD | FBZ |
| Woodbridge Ave. | 390-F | 4 | RRRD | FBZ |
| Woodbridge Ave. | 390-N | 2 | RRRD | FBZ |

(Note: Tax maps highlighting the above parcels are attached hereto as Exhibit A.)

SECTION IV. The official Zoning Map of the Township be and is hereby amended to change the zoning district classifications for the aforementioned properties as indicated herein.

SECTION V. Within 30 days of the adoption of this Ordinance the Township Clerk shall provide notice to the County Planning Board of the zoning changes enacted herein, as required by *N.J.S.A. 40:55D-15* of the MLUL, which notice shall state the effective date of this Ordinance and include a copy of this Ordinance.

SECTION VI. This Ordinance shall take effect twenty (20) days after adoption and approval by the Mayor in accordance with *N.J.S.A. 40:69A:181(b)*.

SECTION VII. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

EXHIBIT A

Tax Map of Parcels within the new Flexible Business Zone

**RESOLUTION AUTHORIZING A PUBLIC SALE PURSUANT TO N.J.S.A. 39:10A-1 ET. SEQ. OF
TWENTY - ONE (25) VEHICLES THAT WERE FOUND ABANDONED AND WERE RECOVERED BY
THE EDISON POLICE DIVISION**

WHEREAS, in accordance with N.J.S.A. 39:10A-1 et. seq. the Edison Police Division regularly has vehicles that came into possession of the Township of Edison through abandonment or failure of owners to claim said vehicles and these have been duly processed; and

WHEREAS, the vehicles that are not recovered by the owners become the property of the Township of Edison and it is necessary to conduct a public sale to dispose of said vehicles.

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

1. The appropriate township officials are hereby authorized to advertise and auction the public sale of vehicles as indicated on the attached list that were found abandoned throughout the Township of Edison, not recovered by the owners, and have become the property of the Township of Edison.
2. The Township Clerk shall advertise the attached list of twenty - one (25) vehicles one time in the Home News Tribune.

