

**AGENDA  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
Monday, March 24, 2014  
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 14, 2013 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
  - a. Regular Meeting of January 8, 2014
  - b. Worksession Meeting of February 24, 2014
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Ordinance amends the Township code to revise and update sewer rates.
  - b. Ordinance authorizing a Special Emergency.
  - c. Resolution changing the percentage amount of the award of Non-Fair and Open Contract to Financial Insurance Consultants, LLC for Professional Risk Management Consulting Services.
9. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through March 20, 2014
  - b. Resolution authorizing refund in the amount of \$382,400.29 for redemption of tax sale certificates.
  - c. Resolution authorizing Overpayment refund caused by Successful Tax Court Appeal.
  - d. Resolution canceling outstanding checks.
  - e. Temporary Emergency Appropriation
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
  - a. Awarding of Contract for Homes Improvements as part of the Community Development Block Grant Program.

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
  - a. Awarding an Emergency Contract/Purchase Order for the Replacement of a Hot Water Heater at the Municipal Complex.
  - b. Awarding Contract for Public Bid No. 14-01-05 – Emergency Pump Station repairs.
  - c. Awarding Contract for Public Bid No. 14-02-05 HVAC Control System Upgrade and HVAC Maintenance .
  
12. **FROM THE DEPARTMENT OF RECREATION:**
  - a. Resolution authorizing a reimbursement of the ABC Program.
  
13. **FROM THE CHIEF OF POLICE:**
  - a. Resolution 2014 Distracted Driving Statewide Crackdown Grant Approval and Initiative.
  - b. Awarding Contract/Purchase Order for the Emergency Notification System.
  - c. Award of Contract for Public Bid No.14-04-12 for Online Training Software.
  
14. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
  
15. **UNFINISHED BUSINESS:  
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND  
FINAL ADOPTION:**
  - O.1858-2014 ORDINANCE AMENDS THE TOWNSHIP CODE TO CLARIFY THAT ON-STREET PARKING MAY BE TEMPORARILY SUSPENDED TOWNSHIP-WIDE IN THE EVENT OF AN EMERGENCY DUE TO SNOW-COVERED STREETS, TO ALLOW TIME FOR SNOWPLOWING.
  
  - O.1859-2014 ORDINANCE AMENDS THE TOWNSHIP CODE TO ESTABLISH A SET FINE SCHEDULE FOR THE FAILURE TO REMOVE SNOW AND ICE FROM SIDEWALKS AND STREETS.
  
  - O.1860-2014 ORDINANCE AMENDS THE TOWNSHIP CODE TO INCREASE THE DOLLAR AMOUNT FOR WHICH THE BUSINESS ADMINISTRATOR MAY CONTRACT FOR GOODS OR SERVICES WITHOUT THE NECESSITY OF OBTAINING MUNICIPAL COUNCIL APPROVAL AND CLARIFIES WHEN COMPETITIVE QUOTES MUST BE OBTAINED
  
16. **COMMUNICATIONS:**
  - a. Letter received from Mr. Stochel regarding Short Hills Battlefield Historic District.
  - b. Letter received from Mr. Bender regarding a Pedestrian walking bridge.
  
17. **DISCUSSION ITEMS:**

**Council President Karabinchak**

- a. Oak Tree Road & Woodland Ave. Traffic Light
- b. Building 1072
- c. Overlay Zone Case
- d. Land fill Closure
- e. Coah Fees Calculations

**Councilmember Diehl**

None

**Councilmember Gomez**

None

**Councilmember Lombardi**

None

**Councilmember Mascola**

None

**Councilmember Prasad**

None

**Councilmember Shah**

None

18. **ADJOURNMENT**

**RESOLUTION**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 20, 2014

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted  
to the Township Council a Report of Disbursements made through March 20, 2014

FUND	AMOUNT
Current	\$14,616,627.34
Affordable Housing	2,670.00
Capital	160,848.00
Cash Performance	0.00
CDBG	17,169.49
Developers Escrow	19,153.75
Dog (Animal Control)	4,134.94
Federal Forfeited	0.00
Grant Funds	26,530.39
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	851,351.94
Sanitation Fund	69,298.83
Sewer Utility	45,939.01
Tax Sale Redemption	399,929.49
Water Operation Fund	0.00
Tree Planting	75.00
Trust	312,604.25
TOTAL	\$16,526,332.43

/s/ Janice Saponaro  
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.

**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.

**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 water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage; 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]):

“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 [~~\$0.002757~~]\$0.003722 per gallon of water consumed, provided that the users are using metered water. All users of the aforesaid sanitary sewer system whose discharged water originated from a well or nonmetered source shall, except as provided in subparagraph h. below, be charged as follows:

\$225.00 in 2008. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.”

**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:

	[2005]	2006	<u>2014</u>
Class I	[ <del>\$0.00288</del> ]	<u>\$0.00317</u>	<u>0.004755</u>
Class II	[ <del>\$0.00399</del> ]	<u>\$0.00439</u>	<u>0.006585</u>
Class III	[ <del>\$0.00453</del> ]	<u>\$0.00499</u>	<u>0.007485</u>
Class IV	[ <del>\$0.00539</del> ]	<u>\$0.00593</u>	<u>0.008895</u> ”

**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:

“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 \$0.003722 per gallon of water consumed, provided that the users are using metered water. All users of the aforesaid sanitary sewer

system whose discharged water originated from a well or nonmetered source shall, except as provided in subparagraph h. below, be charged as follows:

\$225.00 in 2008. 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:

	2006	2014
Class I	\$0.00317	0.004755
Class II	\$0.00439	0.006585
Class III	\$0.00499	0.007485
Class IV	\$0.00593	0.008895”

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 water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage 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.

ORDINANCE AUTHORIZING A SPECIAL EMERGENCY  
APPROPRIATION IN THE AMOUNT OF \$1,500,000 FOR THE  
PREPARATION OF AN APPROVED TAX MAP IN AND BY  
THE TOWNSHIP OF EDISON, IN THE COUNTY OF  
MIDDLESEX, NEW JERSEY.

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

Section 1. The preparation of an approved tax map for use by the local assessor in and by the Township of Edison, in the County of Middlesex, New Jersey (the "Township"), is hereby authorized, and a special emergency appropriation in the amount of \$1,500,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53).

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This ordinance shall take effect in accordance with applicable law.



## **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 **\$382,400.29**.

**March 26, 2014**

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

**WHEREAS**, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	<b>MEHTA, UMESH &amp; RITA</b>
PROPERTY LOCATION	<b>14 OUT OF BOUNDS</b>
BLOCK / LOT / QUALIFIER	<b>415/63</b>

**WHEREAS**, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the tax years above, as follow:

DOCKET NUMBER	TAX YEAR	ASSESSMENT
006260-2012	2012	\$172,700
008811-2013	2013	\$172,700

**WHEREAS**, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$15,724.33** for each year as follow

TAX YEAR	TAX AMOUNT
2012	\$7,821.58
2013	\$7,902.75

**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 **\$15,724.33**.

March 26, 2014





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

**WHEREAS**, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2012 Consolidated Annual Action Plan; and

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

**WHEREAS**, quotes were solicited by the Township of Edison for Case Number 0213; and

**WHEREAS**, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the lowest quote in the amount of \$1,800.00; and

**WHEREAS**, funds in the amount of \$1,800.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-12-0510-000-001; and

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

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

1. All quotes have been reviewed, and the quote in the amount of \$1,800.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be lowest quote received.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$1,800.00 and any other necessary documents, with A-PLUS CONSTRUCTION as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$1,800.00** are available for the above contract in Account No. **T-14-12-0510-000-001**.

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Janice Saponaro  
Chief Financial Officer

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Date

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO  
MANDELL PLUMBING & HEATING, INC. FOR THE REPLACEMENT OF A HOT WATER  
HEATER AT THE MUNICIPAL COMPLEX**

**WHEREAS**, an emergency occurred on February 27, 2014 at the Municipal Complex; and

**WHEREAS**, upon investigation it was determined that the hot water heater had failed and needed to be removed and replaced; and

**WHEREAS**, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

**WHEREAS**, MANDELL PLUMBING & HEATING, INC., 17 Oliver St., Metuchen, NJ 08840 submitted a quote in the amount of \$10,000.00; and

**WHEREAS**, funds in the amount of \$10,000.00 have been certified to be available in the Various Improvements-Public Works Building, Number C-04-12-1817-370-002; 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 of \$10,000.00 and any other necessary documents, with MANDELL PLUMBING & HEATING, INC., 17 Oliver St., Metuchen, NJ 08840, for the removal and replacement of the hot water heater at the Municipal Complex.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$10,000.00** are available for the above contract in Account No. **C-04-12-1817-370-002**.

\_\_\_\_\_  
Janice Saponaro  
Chief Financial Officer

\_\_\_\_\_  
Date

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NORTHEAST FLUID POWER CO. II, INC. FOR EMERGENCY PUMP STATION REPAIRS**

**WHEREAS**, bids were received by the Township of Edison on February 20, 2014 for Public Bid No. 14-01-05, Emergency Pump Station Repairs, for the Department of Public Works; and

**WHEREAS**, NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$150,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081 for Emergency Pump Station Repairs 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 \$150,000.00, and any other necessary documents, with NORTHEAST FLUID POWER CO. II, INC. as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO  
A.M.E. INC., FOR THE FURNISHING OF HVAC CONTROL SYSTEM UPGRADE AND  
MAINTENANCE/HVAC MAINTENANCE AND REPAIR**

**WHEREAS**, bids were received by the Township of Edison on February 27, 2014 for Public Bid No. 14-02-05 HVAC Control System Upgrade and Maintenance/HVAC Maintenance and Repair; and

**WHEREAS**, A. M. E. INC., 1275 Bloomfield Ave., Bldg 2, Unit 17B, Fairfield, NJ 07004 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$120,000.00, 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 by A. M. E. INC., 1275 Bloomfield Ave., Bldg 2, Unit 17B, Fairfield, NJ 07004 for HVAC CONTROL SYSTEM UPGRADE AND MAINTENANCE/HVAC MAINTENANCE AND REPAIR 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 \$120,000.00 and any other necessary documents, with A. M. E. 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 AUTHORIZING A REIMBURSEMENT TO  
ROBERT MUNDKOWSKY FOR THE ABC PROGRAM**

**WHEREAS** Robert Mundkowsky made payment in the amount of \$260.00 for the month of April 2014 for his child, Elizabeth Mundkowsky's participation in the afternoon ABC Program at Woodbrook Elementary School; and

**WHEREAS** the family moved and the child was removed from the program prior to attending.

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$260.00 to Robert Mundkowsky, 26 Gulf Rd., East Brunswick, NJ 08816, which amount represents the overpayment for the ABC program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$260.00 are available in Account #4-01-55-0291-000-000.

\_\_\_\_\_  
Janice Saponaro  
Chief Financial Officer

\_\_\_\_\_  
Date

# **Resolution**

## ***2014 Distracted Driving Statewide Crackdown Grant Approval and Initiative***

**Whereas**, the Division of Police has been awarded 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, 2014; 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 wishes to accept the 2014 Distracted Driving Statewide Crackdown Grant scheduled for April 1-21, 2014 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 approval for and on behalf of the Township of Edison.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO NIXLE, LLC FOR THE EMERGENCY NOTIFICATION SYSTEM FOR THE DIVISION OF POLICE**

**WHEREAS**, quotes were solicited by The Township of Edison for the Emergency Notification System (reverse 9-1-1 services) for the Division of Police; and

**WHEREAS**, NIXLE, LLC, 3000 Atrium Way, Suite 102, Mount Laurel, NJ 08054 submitted the lowest quote in the amount of \$16,495.00 for the period of May 1, 2014 through April 30, 2015; and

**WHEREAS**, funds in the amount of \$16,495.00 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, No. 4-01-25-0250-000-026; 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. All quotes have been reviewed, and the quote as submitted by NIXLE, LLC, 3000 Atrium Way, Suite 102, Mount Laurel, NJ 08054, is determined to be the lowest quote for Emergency Notification System for the Division of Police.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$16,495.00, and any other necessary documents, with NIXLE, LLC.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$16,495.00** are available for the above in Account No. **4-01-25-0250-000-026**.

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Janice Saponaro  
Chief Financial Officer

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Date

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT**

**TO THE RODGERS GROUP, LLC FOR ONLINE TRAINING SOFTWARE FOR THE DIVISION OF  
POLICE**

**WHEREAS**, bids were received by the Township of Edison on February 20, 2014 for Public Bid No.14-04-12 - Online Training Software for the Division of Police; and

**WHEREAS**, THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract not exceed \$23,680.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732 for Online Training Software for the Division of Police, 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 \$23,680.00 and any other necessary documents, with THE RODGERS GROUP, LLC as described herein.

**Explanation:** This Ordinance amends the Edison Township Code to clarify that on-street parking may be temporarily suspended Township-wide in the event of an emergency due to snow-covered streets, to allow time for snowplowing.

**ORDINANCE O.1858-  
2014**

**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 provide that on-street parking may be temporarily suspended Township-wide in the event of an emergency due to snow-covered streets; and

**WHEREAS**, the Code at Chapter 7, Subchapter 10(a) currently provides on-street parking may be temporarily suspended on certain streets when streets are snow-covered, but fails to identify any specific streets; and

**WHEREAS**, the Municipal Council seeks to amend the Code to provide that on-street parking on all streets in the Township may be temporarily suspended in order to allow for an opportunity to snowplow the streets; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 7, Subchapter 10(a) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“a. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist and no vehicles shall be parked on [the following] public streets or highways [or portions thereof listed below] within the boundaries of Edison Township.

The parking prohibitions listed [below] above shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently, and to the extent that parking will not interfere with the normal flow of traffic.”

**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 7, Subchapter 10(a) of the Code to read as follows:

“a. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist and no vehicles shall be parked on public streets or highways within the boundaries of Edison Township.

The parking prohibitions listed above shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently, and to the extent that parking will not interfere with the normal flow of traffic.”

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 7 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the temporary suspension of on-street parking in the event of an emergency due to snow-covered and unplowed streets 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.

**Explanation:** This Ordinance amends the Edison Township Code to establish a set fine schedule for the failure to remove snow and ice from sidewalks and streets.

## **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 establish set fines for the failure to observe local ordinance and remove snow and ice from sidewalks, streets and parking areas, as applicable; and

**WHEREAS**, the Code at Chapter 19, Subchapter 2.5 currently requires a municipal court appearance and the payment of a monetary penalty at the discretion of the municipal court for violations of the Code provisions requiring snow and ice removal; and

**WHEREAS**, the Municipal Council seeks to amend the Code to not require violators to appear in court and establish a set fine schedule for the failure to remove snow and ice; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 19, Subchapter 2.5 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

**“19-2.5 Violations; Penalties.**

Any person, firm or corporation violating any of the provisions of this section shall [, upon conviction thereof,] be liable to a fine of fifty (\$50.00) dollars for a first offense, one hundred (\$100.00) dollars for a second offense and two hundred (\$200.00) dollars for any subsequent offense [the penalty stated in Chapter I, Section 1-5, and]\_ [e]Each and every day in which said violation exists shall constitute a separate violation. (1999 Code § 12.08.050; New)”

**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 19, Subchapter 2.5 of the Code to read as follows:

**“19-2.5 Violations; Penalties.**

Any person, firm or corporation violating any of the provisions of this section shall be liable to a fine of fifty (\$50.00) dollars for a first offense, one hundred (\$100.00) dollars for a second offense and two hundred (\$200.00) dollars for any subsequent offense. Each and every day in which said violation exists shall constitute a separate violation. (1999 Code § 12.08.050; New)”

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 19 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing snow and ice removal 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.

**Explanation:** This Ordinance amends the Edison Township Code to increase the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval and clarifies when competitive quotes must be obtained.

## **ORDINANCE**

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

**WHEREAS**, the Business Administrator of the Township (“Business Administrator”) is the designated ‘contracting agent’ of the Township as defined under *N.J.S.A. 40A:11-2* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“Local Contracts Law”); and

**WHEREAS**, the Municipal Council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to increase the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval and clarify as to when competitive quotes must be obtained; and

**WHEREAS**, the Code at Chapter 2, Subchapter 24.3(b) and (c) currently provides (1) that any contract entered by the Business Administrator for goods or services equal to or in excess of five thousand (\$5,000.00) shall require the approval of the Municipal Council and (2) that competitive or verbal quotes must be obtained in instances where public bidding is not required; and

**WHEREAS**, the Municipal Council seeks to amend the Code to provide (1) that only contracts entered by the Business Administrator equal to or in excess of seventeen thousand five hundred (\$17,500.00) shall require the approval of the Municipal Council and (2) that competitive quotes shall be obtained only to the extent practical, in instances where public bidding is not required, in accordance with the terms of the Local Contracts Law; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 2, Subchapter 24.3(b) and (c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“b. In accordance with *N.J.S.A. 40A:11-2(3)* the Business Administrator is hereby designated as the Contracting Agent for the Township of Edison. Except as detailed in paragraph c. below with respect to proposed services and all extraordinary unspecifiable services, as contracting agent for the Township, the Business Administrator may enter into contracts on behalf of the Township for the performance of any work, or the furnishing of any materials or supplies, the total cost of which is less than seventeen [five] thousand five hundred (\$[5]17,[0]500.00) dollars. Any contract equal to or in excess of seventeen [five] thousand five hundred (\$[5]17,[0]500.00) dollars shall require the approval of the Township Council. The Contracting Agent may also authorize the refund of any license, permit or program fee, established by this Code, which has been paid in error. For any contract, which in the aggregate, is [less] equal to or more than fifteen percent (15%) of the bid threshold established by the Local Contracts Law, [but equal to or more than four thousand three hundred fifty (\$4,350.00) dollars,] the Contracting Agent or his designee shall solicit at least two (2) competitive written quotes in accordance with the provisions of *N.J.S.A. 40A:11-6.1*. [For any purchase less than four thousand three hundred fifty (\$4,350.00) dollars but more than five hundred (\$500.00) dollars, the Contracting Agent or his designee shall solicit verbal quotes.]

c. Notwithstanding the foregoing, all professional services and all extraordinary unspecifiable services as defined in the *N.J.S.A. 40A:11-1 et seq.*, shall be subject to receipt of at least two (2) and preferably three (3) quotations when the cost of the professional service or extraordinary unspecifiable service is estimated to exceed five thousand (\$5,000.00) dollars, if practicable.”

**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 2, Subchapter 24.3(b) and (c) of the Code to read as follows:

“b. In accordance with *N.J.S.A. 40A:11-2(3)* the Business Administrator is hereby designated as the Contracting Agent for the Township of Edison. Except as detailed in paragraph c. below with respect to proposed services and all extraordinary unspecifiable services, as contracting agent for the Township, the Business Administrator may enter into contracts on behalf of the Township for the performance of any work, or the furnishing of any materials or supplies, the total cost of which is less than seventeen thousand five hundred (\$17,500.00) dollars. Any contract equal to or in excess of seventeen thousand five hundred (\$17,500.00) dollars shall require the approval of the Township Council. The Contracting Agent may also authorize the refund of any license, permit or program fee, established by this Code, which has been paid in error. For any contract, which in the aggregate, is equal to or more than fifteen percent (15%) of the bid threshold established by the Local Contracts Law, the Contracting Agent or his designee shall solicit at least two (2) competitive written quotes in accordance with the provisions of *N.J.S.A. 40A:11-6.1*.

c. Notwithstanding the foregoing, all professional services and all extraordinary unspecifiable services as defined in the *N.J.S.A. 40A:11-1 et seq.*, shall be subject to receipt of at least two (2) and preferably three (3) quotations when the cost of the professional service or extraordinary unspecifiable service is estimated to exceed five thousand (\$5,000.00) dollars, if practicable.”

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 2 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval, and/or the extent to which competitive quotes must be obtained, heretofore enacted and inconsistent herewith, are hereby modified pursuant to the terms of this Ordinance.

6. 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.

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

8. 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.