

**AGENDA**  
**MUNICIPAL COUNCIL**  
**COMBINED MEETING**  
**Monday, April 25, 2011**  
**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 January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date. An additional notice was sent on April 15, 2011 combining the meetings.
4. **REVIEW OF MINUTES:**
  - a. Closed Session I of April 11, 2011
  - b. Closed Session II of April 11, 2011
  - c. Closed Session of April 13, 2011
5. **ADMINISTRATIVE AGENDA:**  
**FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Appointment of Peter Cerrato as a member of the Environmental Commission.
  - b. Refunding Opportunity
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Rejection of bids for Contract No. 11-02-25, Roof Replacements-William Toth Memorial Health Center and Westside Pump Station. (Resolution R.271-042011)
  - b. Contribution to the Edison Township Parade Committee (Resolution R.272-042011)
9. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through April 21, 2011 (Resolution R.257-042011)
  - b. Resolution authorizing refund of sewer use fees, totaling \$570.00 (Resolution R.259-042011)
  - c. Resolution authorizing refund of sewer use fees, totaling \$4,868.14 (Resolution R.261-042011)
  - d. Resolution authorizing refund in the amount of \$128,853.29 for redemption of tax sale certificates. (Resolution R.266-042011)
  - e. Resolution authorizing cancellation and discharge of a Tax Sale Certificate (Resolution R.281-042011)
10. **FROM THE DEPARTMENT OF HEALTH:**
  - a. Acceptance of funds for the 2011 Municipal Alliance Program Grant (Resolution R.258-042011)
  - b. Resolution authorizing grant for the OJJDP Summer Expansion Programming Grant (Resolution R.260-042011)
  - c. Reimbursement of Fare Card Fees to former riders of Edison Light Transit (Resolution R.273-042011)
11. **FROM THE DEPARTMENT OF LAW:**
  - a. Sight Triangle Easement and Sidewalk Easement for 31 Adams Street, Fox and Foxx Development (Ordinances O.1771-2011 and O.1772-2011)
12. **FROM THE DIRECTOR OF PLANNING AND ENGINEERING:**
  - a. Approval of the 2011 Community Development Block Grant Program (Resolution R.263-042011)

- b. Release of cash and performance bond for Lily Donuts (Dunkin Donuts), 1790 Lincoln Highway, Application #75-001/02.

13. **FROM THE DIRECTOR OF RECREATION:**

- a. Refunds for ABC Program Fees (Resolutions R.264-042011 and R.265-042011 and Resolutions R.267-042011 through R.269-042011)
- b. Resolution authorizing purchase of trip tickets (Resolution R.270-042011)

14. **FROM THE CHIEF OF FIRE:**

- a. Award of bid for Contract No. 10-01-29, Uniforms and Equipment – Fire Department and EMT (Resolutions R.274-042011 through R.276-042011)

15. **FROM THE CHIEF OF POLICE:**

- a. Award of quote for the Power Suite Subscription (Resolution R.277-042011)
- b. Award of quote for the Emergency Notification System (Resolution R.278-042011)
- c. Award of bid for Contract No. 11-03-07, Remanufactured Automatic Police Transmissions (Resolution R.279-042011)

16. **FROM THE TOWNSHIP CLERK:**

- a. Resolution overriding the veto on Ordinance O.1769-2011 (Resolution R.262-042011)

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

18. **UNFINISHED BUSINESS:**

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

O.1770-2011 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EDISON CREATING CHAPTER 38 ENTITLED “RIPARIAN ZONE”

19. **COMMUNICATIONS:**

- a. Electronic Mail Message from Randy “Rob” Rivera regarding employment as an Emergency Medical Technician – receive
- b. Electronic Mail Message from James Walsh regarding OPRA requests – receive
- c. Electronic Mail Message from Gloria Dittman regarding workers at the animal shelter – receive
- d. Electronic Mail Message from Rabbi Rosenberg regarding comments made at the previous Council meeting – receive
- e. Electronic Mail Message from Larry Yu regarding flooding of April 16, 2011 - receive

20. **DISCUSSION ITEMS:**

**Council President Diehl**  
None

**Councilmember Gomez**  
None

**Councilmember Karabinchak**

- a. Tax Appeals
- b. Resolution regarding Educational Funding
- c. Oak Tree and Woodland Intersection

- d. Gurley and Woodbridge Intersection
- e. Creation of a parking authority
- f. Expanding Edison TV
- g. Edison Tower

**Councilmember Lankey**

None

**Councilmember Mascola**

None

**Councilmember Perilstein**

- a. Resolution of Recognition – Woodrow Wilson Middle School Coffee Shop

**Councilmember Prasad**

None

21. **CLOSED SESSION:**

- a. Contract Negotiations – Crossing Guard Contract

22. **APPROVAL OF MINUTES:**

- a. Closed Session I of April 11, 2011
- b. Closed Session II of April 11, 2011
- c. Closed Session of April 13, 2011

23. **COUNCIL PRESIDENT'S REMARKS**

24. **RESOLUTIONS OF RECOGNITION:**

R.256-042011 Woodrow Wilson Middle School Coffee Shop

25. **ADMINISTRATIVE AGENDA:**

**FROM MAYOR ANTONIA RICIGLIANO:**

- a. Appointment of Peter Cerrato as a member of the Environmental Commission.

26. **UNFINISHED BUSINESS:**

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

The following Ordinances have been published according to law, the affidavits are in the possession of the Township Clerk, and copies are posted in the Council Chambers:

O.1770-2011 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EDISON CREATING CHAPTER 38 ENTITLED "RIPARIAN ZONE"

27. **NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 11, 2011:**

O.1771-2011 AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A SIGHT TRIANGLE EASEMENT FOR THE PROPERTY LOCATED AT 31 ADAMS STREET FROM FOX AND FOXX DEVELOPMENT

O.1772-2011 AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A SIDEWALK EASEMENT AGREEMENT FOR THE PROPERTY LOCATED AT 31 ADAMS STREET FROM FOX AND FOXX DEVELOPMENT

28. **PUBLIC COMMENT ON THE RESOLUTIONS**

29. **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.257-042011 Resolution approving disbursements for the period ending April 21, 2011.
- R.258-042011 Resolution authorizing acceptance of funds for the 2011 Municipal Alliance Program Grant.
- R.259-042011 Resolution authorizing refund of sewer use fees, totaling \$570.00.
- R.260-042011 Resolution authorizing funding from the New Jersey Juvenile Justice Commission, Office of Juvenile Justice and Delinquency Prevention (OJJDP) Summer Expansion Programming Grant, in the amount of \$20,000.
- R.261-042011 Resolution authorizing refund of sewer use fees, totaling \$4,868.14.
- R.262-042011 Resolution overriding the Mayor's veto on Ordinance O.1769-2011.
- R.263-042011 Resolution approving the Fiscal Year 2011 Community Development Block Grant Program and Consolidated Annual Action Plan.
- R.264-042011 Resolution authorizing refund of ABC Program Fee to Srivani Chinnakotla, in the amount of \$25.00
- R.265-042011 Resolution authorizing refund of ABC Program Fee to Zhu Liu, in the amount of \$25.00.
- R.266-042011 Resolution authorizing refund in the amount of \$128,853.29 for redemption of tax sale certificates.
- R.267-042011 Resolution authorizing refund of ABC Program Fee to Marquis Jamison, in the amount of \$150.00.
- R.268-042011 Resolution authorizing refund of ABC Program Fee to Asif Gandhi, in the amount of \$225.00.
- R.269-042011 Resolution authorizing refund of ABC Program Fee to Deepak Gupta, in the amount of \$150.00.
- R.270-042011 Resolution authorizing the purchase of trip tickets on consignment from the New Jersey Recreation and Parks Association.
- R.271-042011 Resolution authorizing rejecting of bids for Contract No. 11-02-25, Roof Replacements – William Toth memorial Health Center and Westside Pump Station.
- R.272-042011 Resolution authorizing contribution to the Edison Township Parade Committee in the amount of \$6,561.00.
- R.273-042011 Resolution authorizing reimbursement of fare card fees to various former riders of Edison Light Transit, in the total amount of \$751.50.
- R.274-042011 Resolution authorizing award of various items for Contract No. 10-01-29, Uniforms and Equipment – Fire Department and EMT to Absolute Fire Protection Company, Inc., in the amount of \$13,151.20.
- R.275-042011 Resolution authorizing award of various items for Contract No. 10-01-29, Uniforms and Equipment – Fire Department and EMT to First Due Emergency Supply Company, in the amount of \$27,156.30.
- R.276-042011 Resolution authorizing award of various items for Contract No. 10-01-29, Uniforms and Equipment – Fire Department and EMT to Continental Fire and Safety, in the amount of \$368,934.00.
- R.277-042011 Resolution authorizing award of quote for Power Suite Subscription to Innovative Data Solutions, in the amount of \$5,400.00.
- R.278-042011 Resolution authorizing award of quote for Emergency Notification System to Global Connect, in the amount of \$17,485.00.
- R.279-042011 Resolution authorizing award of bid for Contract No. 11-03-07, Remanufactured Automatic Police Transmissions to Varga Enterprises, Inc., in the amount of \$26,000.00.
- R.280-042011 Resolution authorizing release of cash performance and performance bond to Lily Donuts (Dunkin Donuts), 1790 Lincoln Highway, Application #Z75-01/02.

R.281-042011 Resolution authorizing cancellation and discharge of Tax Sale Certificate No.09-00301, Oaks Condo Association.

30. **COMMUNICATIONS:**

- a. Electronic Mail Message from Randy “Rob” Rivera regarding employment as an Emergency Medical Technician – receive
- b. Electronic Mail Message from James Walsh regarding OPRA requests – receive
- c. Electronic Mail Message from Gloria Dittman regarding workers at the animal shelter – receive
- d. Electronic Mail Message from Rabbi Rosenberg regarding comments made at the previous Council meeting – receive
- e. Electronic Mail Message from Larry Yu regarding flooding of April 16, 2011 - receive

31. **ORAL PETITIONS AND REMARKS**

32. **ADJOURNMENT**

**EXPLANATION:** This ordinance amends the Township of Edison Code by creating new **Chapter 38** entitled “**Riparian Zone.**”

## **TOWNSHIP OF EDISON**

### **ORDINANCE**

**BE IT ORDAINED**, by the Council of the Township of Edison, County of Middlesex, State of New Jersey, that Chapter XXXVIII currently designated as “Reserved” as follows is hereby supplemented and amended to establish a new Chapter XXXVIII entitled “Riparian Zone” to read as follows:

**SECTION I.** The index for new Chapter 38 entitled “Riparian Zone” shall read as follows:

### **RIPARIAN ZONE**

- 38-1. Purpose and Authority**
- 38-2. Definitions**
- 38-3. Establishment and Protection of Riparian Zones**
- 38-4. Variances**
- 38-5. Exceptions**
- 38-6. Appeals, Conflicts, and Severability**
- 38-7. Enforcement**
- 38-8. Effective Date**

**SECTION II.** New Chapter 38 entitled “Riparian Zone” shall read as follows:

#### **38-1. PURPOSE AND AUTHORITY**

The purpose of this Ordinance is to designate riparian zones, and to provide for land use regulation therein in order to protect the streams, lakes, and other surface water bodies of the Township of Edison, Middlesex County, NJ, and to comply with N.J.A.C. 7:15-5.25(g)3, which requires municipalities to adopt an ordinance that prevents new disturbance for projects or activities in riparian zones as described herein. Compliance with the riparian zone requirements of this Ordinance does not constitute compliance with the riparian zone or buffer requirements imposed under any other Federal, State or local statute, regulation or ordinance.

#### **38-2. DEFINITIONS**

**Acid producing soils** means soils that contain geologic deposits of iron sulfide minerals (pyrite and marcasite) which, when exposed to oxygen from the air or from surface waters, oxidize to produce sulfuric acid. Acid producing soils, upon excavation, generally have a pH of 4.0 or lower. After exposure to oxygen, these soils generally have a pH of 3.0 or lower. Information regarding the location of acid producing soils in New Jersey can be obtained from local Soil Conservation District offices.

**Applicant** means a person, corporation, government body or other legal entity applying to the Planning Board, Board of Adjustment or the Construction Office proposing to engage in an activity that is regulated by the provisions of this ordinance, and that would be located in whole or in part within a regulated Riparian Zone.

**Category One waters or C1 waters** shall have the meaning ascribed to this term by the Surface Water Quality Standards, N.J.A.C. 7:9B, for purposes of implementing the antidegradation policies set forth in those standards, for

protection from measurable changes in water quality characteristics because of their clarity, color, scenic setting, and other characteristics of aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resources.

**Disturbance** means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

**Intermittent Stream** means a surface water body with definite bed and banks in which there is not a permanent flow of water and shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrography coverages or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Stormwater Management rules at N.J.A.C. 7:8-5.5(h), C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys.

**Lake, pond, or reservoir** means any surface water body shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrography coverages or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Stormwater Management rules at N.J.A.C. 7:8-5.5(h), C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys; that is an impoundment, whether naturally occurring or created in whole or in part by the building of structures for the retention of surface water. This excludes sedimentation control and stormwater retention/detention basins and ponds designed for treatment of wastewater.

**Perennial stream** means a surface water body that flows continuously throughout the year in most years and shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrography coverages or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Stormwater Management rules at N.J.A.C. 7:8-5.5(h), C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys.

**Riparian zone** means the land and vegetation within and directly adjacent to all surface water bodies including, but not limited to lakes, ponds, reservoirs, perennial and intermittent streams, up to and including their point of origin, such as seeps and springs, as shown on the New Jersey Department of Environmental Protection's GIS hydrography coverages or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Stormwater Management rules at N.J.A.C. 7:8-5.5(h), C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys. There is no riparian zone along the Atlantic Ocean nor along any manmade lagoon or oceanfront barrier island, spit or peninsula.

**Special Water Resource Protection Area or SWRPA** means a 300 foot area provided on each side of a surface water body designated as a C1 water or tributary to a C1 water that is a perennial stream, intermittent stream, lake, pond, or reservoir, as defined herein and shown on the USGS quadrangle map or in the County Soil Surveys within the associated HUC 14 drainage, pursuant to the Stormwater Management rules at N.J.A.C. 7:8-5.5(h).

**Surface water body(ies)** means any perennial stream, intermittent stream, lake, pond, or reservoir, as defined herein. In addition, any regulated water under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-2.2, or State open waters identified in a Letter of Interpretation issued under the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A-3 by the New Jersey Department of Environmental Protection Division of Land Use Regulation shall also be considered surface water bodies.

**Threatened or endangered species** means a species identified pursuant to the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1 et seq., the Endangered Species Act of 1973, 16 U.S.C. §§1531 et seq. or the Endangered Plant Species List, N.J.A.C. 7:5C-5.1, and any subsequent amendments thereto.

**Trout maintenance water** means a section of water designated as trout maintenance in the New Jersey Department of Environmental Protection's Surface Water Quality Standards at N.J.A.C. 7:9B.

**Trout production water** means a section of water identified as trout production in the New Jersey Department of Environmental Protection's Surface Water Quality Standards at N.J.A.C. 7:9B.

### **38-3. ESTABLISHMENT AND PROTECTION OF RIPARIAN ZONES**

A. Except as provided in Sections 38-4. and 38-5. below, riparian zones adjacent to all surface water bodies shall be protected from avoidable disturbance and shall be delineated as follows:

1. The riparian zone shall be 300 feet wide along both sides of any Category One water (C1 water), and all upstream tributaries situated within the same HUC 14 watershed. At present there are NO waters classified as Category One (C1) waters under Township of Edison jurisdiction.

2. The riparian zone shall be 150 feet wide along both sides of the following waters not designated as C1 waters:

a. Any trout production water and all upstream waters (including tributaries);

b. Any trout maintenance water and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water;

c. Any segment of a water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal, which is critically dependent on the surface water body for survival, and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water; and

d. Any segment of a water flowing through an area that contains acid producing soils.

3. For all other surface water bodies, a riparian zone of 50 feet wide shall be maintained along both sides of the water.

B. If a discernible bank is not present along a surface water body, the portion of the riparian zone outside the surface water body is measured landward as follows:

1. Along a linear fluvial or tidal water, such as a stream, the riparian zone is measured landward of the feature's centerline;

2. Along a non-linear fluvial water, such as a lake or pond, the riparian zone is measured landward of the normal water surface limit;

3. Along a non-linear tidal water, such as a bay or inlet, the riparian zone is measured landward of the mean high water line; and

4. Along an amorphously-shaped feature such as a wetland complex, through which water flows but which lacks a discernible channel, the riparian zone is measured landward of the feature's centerline.

C. The applicant or designated representative shall be responsible for the initial determination of the presence of a riparian zone on a site, and for identifying the area of the riparian zone on any plan submitted to the Township of Edison in conjunction with an application for a construction permit, subdivision, land development, or other improvement that requires plan submissions or permits. This initial determination shall be subject to review and approval by the municipal engineer, governing body, or its appointed representative, and, where required by State regulation, the New Jersey Department of Environmental Protection.

### **38-4. VARIANCES**

To the extent allowed by the Stormwater Management Rules (N.J.A.C. 7:8), the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), and the Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38), new disturbances for projects or activities in the riparian zone established by this Ordinance may be allowed through the Zoning Board of Adjustment review and approval of a variance, provided the disturbance is proposed to be located



on a pre-existing lot (existing as of the effective date of this ordinance) when there is insufficient room outside the riparian zone for the proposed use otherwise permitted by the underlying zoning; there is no other reasonable or prudent alternative to placement in the riparian zone, including obtaining variances from setback or other requirements that would allow conformance with the riparian zone requirements; and upon proof by virtue of submission of appropriate maps, drawings, reports and testimony, that the disturbance is:

- A. Necessary to protect public health, safety or welfare;
- B. To provide an environmental benefit;
- C. To prevent extraordinary hardship on the property owner peculiar to the property; or
- D. To prevent extraordinary hardship, provided the hardship was not created by the property owner, by not allowing a minimum economically viable use of the property based upon reasonable investment.

### **38-5. EXCEPTIONS**

To the extent allowed under the Stormwater Management Rules (N.J.A.C. 7:8), the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), and the Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38) and subject to review and approval by the New Jersey Department of Environmental Protection to the extent required by those rules, the following disturbances for projects or activities in the riparian zone established by this Ordinance are allowed:

- A. Redevelopment within the limits of existing impervious surfaces;
- B. Linear development with no feasible alternative route;
- C. Disturbance that is in accordance with a stream corridor restoration or stream bank stabilization plan or project approved by the New Jersey Department of Environmental Protection;
- D. Disturbance necessary to provide for public pedestrian access or water dependent recreation that meets the requirements of the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A, the Flood Hazard Area Control Act rules, N.J.A.C. 7:13, or the Coastal Zone Management rules, N.J.A.C. 7:7E; or
- E. Disturbance with no feasible alternative required for the remediation of hazardous substances performed with New Jersey Department of Environmental Protection or Federal oversight pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq. or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§9601 et seq.

### **38-6. APPEALS, CONFLICTS, AND SEVERABILITY**

- A. Any party aggrieved by the location of the riparian zone boundary determination under this Ordinance may appeal to the Township Engineer under the provisions of this Ordinance. The party contesting the location of the riparian zone boundary shall have the burden of proof in case of any such appeal.
- B. Any party aggrieved by any determination or decision of the Township Engineer under this Ordinance may appeal to the Municipal Council of the Township of Edison. The party contesting the determination or decision shall have the burden of proof in case of any such appeal.
- C. **Conflicts:** All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.
- D. **Severability:**
  - 1. Interpretation: This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law.

2. Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

3. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

### **38-7. ENFORCEMENT**

A prompt investigation shall be made by the Department of Planning and Engineering, of the Township of Edison, of any person or entity believed to be in violation hereof. If, upon inspection, a condition which is in violation of this Ordinance is discovered, a civil action in the Special Part of the Superior Court, or in the Superior Court, if the primary relief sought is injunctive or if penalties may exceed the jurisdictional limit of the Special Civil Part, by the filing and serving of appropriate process. Nothing in this Ordinance shall be construed to preclude the right of the Township of Edison, pursuant to N.J.S.A 26:3A2-25, to initiate legal proceedings hereunder in Municipal Court. The violation of any section or subsection of this Ordinance shall constitute a separate and distinct offense independent of the violation of any other section or subsection, or of any order issued pursuant to this Ordinance. Each day a violation continues shall be considered a separate offense.

**SECTION III.** This Ordinance shall take effect twenty (20) days after final adoption and publication and approval by the Mayor in accordance with NJSA 40:69A-181(b)., and shall be filed with the County Planning Board after adoption.

**SECTION IV.** All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

**EXPLANATION:** This Ordinance authorizes the Township of Edison to accept a **SideWalk Easement Agreement** at the property located at 31 Adams Street from **Fox and Foxx Development**.

**TOWNSHIP OF EDISON**

**ORDINANCE 0.**

**WHEREAS, Fox and Foxx Development** (“Grantor”) obtained a Resolution (“Approval”) from the Edison Township Planning Board (“Planning Board”) approving the **subdivision** and to be known as **Lot 12.01**; and

**WHEREAS,** the Approval required the Grantor to provide to the Township of Edison (“Grantee”) a certain **Sidewalk Easement Agreement** affecting portion of **Lots 12.01 in block 630**; and

**WHEREAS,** the Township Council of the Township of Edison, desires to accept the above described Sidewalk Easement Agreement; and

**WHEREAS,** the purpose of this conveyance is to satisfy the conditions of preliminary and final **subdivision** approval, as set forth in the Planning Board’s Approval; and

**WHEREAS,** the Township Attorney has reviewed and approves the above **Sidewalk Easement Agreement** and finds it acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED,** by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that it hereby authorizes acceptance of the above **Sidewalk Easement Agreement** and conveyance attached hereto and directs the Mayor and Township Clerk to execute and file such documents as may be necessary; and

**BE IT FURTHER ORDAINED,** this ordinance shall take effect twenty (20) days after the adoption and approval by Mayor in accordance with N.J.S.A 40:69A: 181(b)

**EXPLANATION:** This Ordinance authorizes the Township of Edison to accept a **Sight Triangle Easement** at the property located at 31 Adams Street from **Fox and Foxx Development**.

**TOWNSHIP OF EDISON**

**ORDINANCE 0.**

**WHEREAS, Fox and Foxx Development** (“Grantor”) obtained a Resolution (“Approval”) from the Edison Township Planning Board (“Planning Board”) approving the **subdivision** and to be known as **Lot 12.01**; and

**WHEREAS,** the Approval required the Grantor to provide to the Township of Edison (“Grantee”) a certain **Sight Triangle Easement** affecting portion of **Lots 12.01 in block 630**; and

**WHEREAS,** the Township Council of the Township of Edison, desires to accept the above described **Sight Triangle Easement**; and

**WHEREAS,** the purpose of this conveyance is to satisfy the conditions of preliminary and final **subdivision** approval, as set forth in the Planning Board’s Approval; and

**WHEREAS,** the Township Attorney has reviewed and approves the above **Sight Triangle Easement** and finds it acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED,** by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that it hereby authorizes acceptance of the above **Sight Triangle Easement** and conveyance attached hereto and directs the Mayor and Township Clerk to execute and file such documents as may be necessary; and

**BE IT FURTHER ORDAINED,** this ordinance shall take effect twenty (20) days after the adoption and approval by Mayor in accordance with N.J.S.A. 40:69A: 181(b)

**RESOLUTION R.259-042011**

**TOWNSHIP OF EDISON  
COUNTY OF MIDDLESEX**

**RESOLUTION R.258-042011**

WHEREAS, the Township of Edison has been approved to receive grant funding up to \$84,064.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2011 Municipal Alliance Program; and

WHEREAS, the Edison Municipal Alliance is desirous of accepting those grant funds available from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of Edison; and

WHEREAS, in order to receive said grant the Township must match funds, 25% in cash and 75% in kind service; and

WHEREAS, these services provide a significant benefit to the residents of the Township by providing primary prevention and early intervention services to those at risk of developing lifelong addictions or struggling to overcome them, and educating our children to help them avoid falling into the traps of alcoholism, smoking, and drug abuse.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept the funds in connection with said project from the County of Middlesex and make disbursements in accordance with said application; and the appropriate Township Officials are hereby authorized to enter into agreements and contracts with the County of Middlesex and other agencies and corporations for funding and implementation of this Municipal Alliance Grant program.

## RESOLUTION R.259-042011

Whereas, on various properties located within the Township of Edison, overpayments of sewer use fees have been made due to erroneous or duplicate payments; and

Whereas, applications have been made to the Tax Collector for refund of said overpayments, totaling \$570.00 and

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

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.

**TOWNSHIP OF EDISON**  
**MIDDLESEX COUNTY**

RESOLUTION R.260-042011

WHEREAS, the State of New Jersey, Department of Law and Public Safety, Juvenile Justice Commission (JJC) is responsible for implementation of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended; and,

WHEREAS, the Township of Edison is desirous of applying for funding not to exceed \$20,000 from the New Jersey Juvenile Justice Commission, Office of Juvenile Justice and Delinquency Prevention (OJJDP) Summer Expansion Programming Grant for the expansion of a community based, delinquency prevention program entitled Summer Outreach Program developed and funded by the Edison Municipal Alliance; and

WHEREAS, in order to receive this grant for July – September, 2011, the Township of Edison must make application and enter into agreements with the JJC; and

WHEREAS, the Municipal Council of the Township of Edison has reviewed said application and finds approval thereof to be in the best interests of the Township of Edison and;

WHEREAS, said project is a joint project between the State of New Jersey (JJC) and the Township of Edison for the purposes therein described:

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

- (1) that as a matter of public policy the Township of Edison wishes to participate the State of New Jersey (JJC) to the greatest extent possible;
- (2) that the Juvenile Justice Commission (JJC) be requested to accept said application on behalf of the Township of Edison;
- (3) that the appropriate fiscal officer will accept the funds in connection with said project from the JJC and make disbursements in accordance with said application; and
- (4) that the appropriate Township Officials are hereby authorized to file the necessary applications and to enter into agreements and contracts with the Juvenile Justice Commission (JJC) for funding and implementation of this program.



## RESOLUTION R.261-042011

Whereas, on various properties located within the Township of Edison, overpayments of sewer use fees have been made due to erroneous or duplicate payments; and

Whereas, applications have been made to the Tax Collector for refund of said overpayments, totaling \$4868.14 and

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

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.

**RESOLUTION R.262-042011**

**WHEREAS**, the Township Council of the Township of Edison on April 13, 2011 adopted Ordinance O.1769-2011; and

**WHEREAS**, said Ordinance, in accordance with the Township's Charter, was forwarded to the Mayor for approval; and

**WHEREAS**, on April 19, 2011 the Mayor returned said Ordinance to the Council, pursuant to N.J.S.A. 40:69A-41A, with a veto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that they do hereby override the veto by the Mayor of Ordinance O.1769-2011 and declare said Ordinance to be adopted and become law and part of the Code of the Township of Edison.

**RESOLUTION R.263-042011**

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2011 CONSOLIDATED ANNUAL ACTION PLAN

**WHEREAS**, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

**WHEREAS**, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2011 Community Development Block Grant in the estimated amount of Six Hundred Thousand Dollars (\$600,000);

**WHEREAS**, the Township can budget a total of Six Hundred Dollars (\$600,000) to fund eligible 2011 activities that will be carried out during the 2011 Program Year;

**WHEREAS**, A Public Hearing was held on February 15, 2011 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2011;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:**

**Section 1.** The application for the Consolidated Annual Action Plan for Fiscal Year 2011 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

**Section 2.** It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

**Section 3.** The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for Six Hundred Sixty Six Thousand Thirty Eight Thousand, One Hundred Fifty Eight Dollars (\$600,000), which the U.S. Department of Housing and Urban Development has indicated it is willingness to make available to carry out the Community Development Program's activities that are listed in the 2011 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

**Section 4.** The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

**Section 5.** The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY11 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2011 Consolidated Annual Plan.

**Section 6.** The Director of Law shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

**RESOLUTION R.264-042011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
SRIVANI CHINNAKOTLA FOR AN ABC REFUND**

**WHEREAS** Srivani Chinnakotla made application together with payment in the amount of \$25.00 for the ABC Program at Menlo Park School; and

**WHEREAS** The Department of Recreation could not accommodate this child who attends half-day kindergarten.

**NOW; THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$25.00 to Srivani Chinnakotla, 37 Frost Ave., East, Edison, NJ 08820 which represents the amount of payment for the ABC registration fee.

RESOLUTION R.265-042011

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
ZHU LIU FOR THE ABC PROGRAM**

**WHEREAS** Zhu Liu made application together with payment in the amount of \$330.00 for his child's participation in the ABC Program at Martin Luther King Elementary School; and

**WHEREAS** Zhu Liu had to remove his child, Lauren Liu from the program due to a change in his wife's working schedule.

**NOW; THEREFORE, BE IT 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 \$330.00 to Zhu Liu, 9 Whitehall Ave., Edison, NJ 08820, which amount represents the amount of payment for three months plus \$60.00 of an overpayment to the ABC program.

**RESOLUTION R.266-042011**

**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 \$128,853.29.

**RESOLUTION R.267-042011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
MARQUIS JAMISON FOR THE ABC PROGRAM**

**WHEREAS**, Marquis Jamison made payment in the amount of \$150.00 for his child, Jeremiah Jamison's participation in the ABC Program at Washington Elementary School prior to attending in the month of April; and

**WHEREAS**, the child was transferred out of Washington Elementary School prior to April 2011.

**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 \$150.00 to Marguis Jamison, 1985 Route #27, Apt. C4, Edison, NJ 08817, which amount represents the monthly fee for the ABC program.

**RESOLUTION R.268-042011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
ASIF GANDHI FOR THE ABC PROGRAM**

**WHEREAS**, Asif Gandhi made application together with payment in the amount of \$225.00 for his children, Insiya & Zahra Gandhi's participation in the ABC Program at James Madison Intermediate Elementary School; and

**WHEREAS**, Asif Gandhi removed his children from the program but his bank continued to send payment.

**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 \$225.00 to Asif Gandhi, 14 Highpoint Dr., Edison, NJ 08820, which amount represents the monthly fee for the ABC program.



**RESOLUTION R.269-042011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
DEEPAK GUPTA FOR THE ABC PROGRAM**

**WHEREAS**, Deepak Gupta made application together with payment in the amount of \$150.00 for his child, Ishaan Gupta's participation in the YAP Program at John Adams Middle School; and

**WHEREAS**, Deepak Gupta removed his child from the program but his bank continued to send payment.

**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 \$150.00 to Deepak Gupta, 29 Morning Glory Ln., Edison, NJ 08820, which amount represents the monthly fee for the ABC program.

**RESOLUTION R.270-042011**

**RESOLUTION AUTHORIZING THE PURCHASE OF TRIP TICKETS ON  
CONSIGNMENT FROM NEW JERSEY RECREATION AND PARKS ASSOCIATION**

**WHEREAS**, the Edison Township Department of Recreation is desirous of acquiring discounted tickets, on consignment, for their 2011 summer playground programs; and

**WHEREAS**, New Jersey Recreation and Parks Association, offers discounted tickets, as well as the ability to return unused tickets; and

**WHEREAS**, no other company offers this type of discount or return policy; and

**WHEREAS**, the maximum amount for this contract shall not exceed \$10,285.00 for summer playground programs for the months of July and August and funds in this amount have been certified to be available in the Recreation Supplies Account, Number 1-01-28-0370-000-066, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

**WHEREAS**, it has been recommended by the Director of Recreation that this contract be awarded to New Jersey Recreation and Park Association, 13 April Lane, Somerset, NJ 08873.

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with New Jersey Recreation and Parks Association, in an amount not to exceed \$10,285.00.

**RESOLUTION R.271-042011**

**RESOLUTION REJECTING ALL BIDS FOR ROOF REPLACEMENTS FOR THE WILLIAM TOTH  
MEMORIAL HEALTH CENTER AND THE WESTSIDE PUMP STATION**

**WHEREAS**, the Township of Edison advertised for bids by public notice published in the Home News on February 25, 2011, for Public Bid No. 11-02-25, ROOF REPLACEMENTS-WILLIAM TOTH MEMORIAL HEALTH CENTER AND WESTSIDE PUMP STATION with a bid opening date of April 1, 2011 and the lowest responsive, responsible bidder was Arista Builders K Designers, Inc., 329 Jackson Mills Road, Jackson, NJ 08527 in the amount of \$89,400.00 for the William Toth Memorial Health Center Roof and \$120,900.00 for the Westside Pump Station roof; and

**WHEREAS**, Section 40A:11-13.2a of the Local Public Contracts Law allows for the rejection of bids when the lowest bid substantially exceeds the cost estimate for 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 bids for Public Bid No. 10-10-25R entitled "ROOF REPLACEMENTS-WILLIAM TOTH MEMORIAL HEALTH CENTER AND WESTSIDE PUMP STATION" 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 R.272-042011**

**RESOLUTION AUTHORIZING CONTRIBUTION TO THE EDISON TOWNSHIP  
PARADE COMMITTEE IN THE AMOUNT OF \$6,561.00**

**WHEREAS**, The Township of Edison makes a yearly contribution to the Memorial Day Parade to help fund expenses for the parade such as refreshments, entertainment, etc.; and

**WHEREAS**, This year's Memorial Day Parade will be held on Sunday, May 29, 2011 in the Clara Barton Section of the Township; and

**WHEREAS**, it has been recommended by the Township that the 2011 contribution be made to the Edison Township Parade Committee, K3 Willard Dunham Dr., Edison, NJ 08837; and

**WHEREAS**, funds for this purpose are available for the above contract in the Celebration of Public Events Account, Number 1-01-30-0420-000-020.

**NOW, THEREFORE, IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to process payment in the amount not to exceed \$6,561.00 to the Edison Township Parade Committee.

**RESOLUTION R.273-042011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT OF FARE CARD FEES TO VARIOUS FORMER RIDERS OF EDISON LIGHT TRANSIT**

**WHEREAS**, The Edison Light Transit to the Edison Train Station was suspended on April 8, 2011; and

**WHEREAS**, the following riders pre-purchased fare cards and are requesting refund on the unused fares.

**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 respective amounts totaling \$751.50 to the former Edison Light Transit riders as listed below:

Anup Nevatia, 420 Draco Road, Piscatway, NJ 08854 .....	7 fares @ \$1.50:
<u>\$10.50</u>	
Faina Sokolovskaya, 1131 Waterford Drive, Edison, NJ 08817 .....	21 fares @ \$1.50:
.....	
<u>\$31.50</u>	
Gaurav Gupta, 1601 Rivendell Way, Edison, NJ 08817 .....	40 fares @ \$1.50:
<u>\$60.00</u>	
Abhinandan Majumdar, 4 Independence Way, Ste 200, Princeton, NJ 08540	
.....	
.....	8 fares @ \$1.50: <u>\$12.00</u>
Joby Joseph, 384 Draco Rd, Piscataway, NJ 08854 .....	48 fares @ \$1.50:
<u>\$72.00</u>	
Chandra M. Immareddy, 185 Michelle Cr., Edison, NJ 08820 .....	20 fares @ \$1.50:
<u>\$30.00</u>	
Sachin Vexma, 32 Sagamore Ave, Edison, NJ 08820 .....	10 fares @ \$1.50:
<u>\$15.00</u>	
Sivaramakali Paluri, 111 Rivendell Way, Edison, NJ 08817 .....	17 fares @ \$1.50:
<u>\$25.50</u>	
Naveen Tyagi, 352 Lunar Rd., Piscataway, NJ 08854 .....	19 fares @ \$1.50:
<u>\$28.50</u>	
Stanislaw Mezyk, 4403 Hana Rd., Edison, NJ 08817 .....	83 fares @ \$1.50:
<u>\$124.50</u>	
Chidambaram Uthirasamy, 49A Reading Rd., Edison, NJ 08817 .....	42 fares @ \$1.50: <u>\$63.00</u>
Dhinakaran Srinivasan, 21 Minebrook Rd. #27A, Edison, NJ 08820 .....	40 fares @ \$1.50: <u>\$60.00</u>
Jayashree Gopalakrishnan, 316 Rivendell Way, Edison, NJ 08817 .....	39 fares @ \$1.50: <u>\$58.50</u>
Srivatsan Srinivasan, 13 Guisborough Way, Edison, NJ 08820 .....	24 fares @ \$1.50: <u>\$36.00</u>
Mila Francisco, 906 Rivendell Way, Edison, NJ 08817 .....	33 fares @ \$1.50: <u>\$49.50</u>

Sivaprakasini Veerasikru, 29D Reading Road, Edison, NJ 08817 .....50 fares @ \$1.50: \$75.00

**RESOLUTION R.274-042011**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY, INC. FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT**

**WHEREAS**, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

**WHEREAS**, ABSOLUTE FIRE PROTECTION COMPANY, INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080, submitted the lowest legally responsible, responsive bid for various items of the bid; and

**WHEREAS**, the maximum amount of this purchase is \$13,151.20 and funds in the amount of \$271.20 have been certified to be available in the Fire Fighting Clothing and Uniforms Account, Number 1-01-25-0265-001-032 and funds in the amount of \$12,880.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

**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 ABSOLUTE FIRE PROTECTION COMPANY, INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item numbers 7-8 for EMT Personnel and Item number 7 for Fire Division Personnel.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$13,151.20, and any other necessary documents, with ABSOLUTE FIRE PROTECTION COMPANY, 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.

**RESOLUTION R.275-042011**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FIRST DUE EMERGENCY SUPPLY COMPANY FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT**

**WHEREAS**, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

**WHEREAS**, FIRST DUE EMERGENCY SUPPLY COMPANY, 444 Hurffville-Crosskeys Road, Sewell, NJ 08080, submitted the lowest legally responsible, responsive bid for various items of the bid; and

**WHEREAS**, the maximum amount of this purchase is \$27,156.30 and funds in the amount of \$11,358.30 have been certified to be available in the Fire Fighting Uniforms Allowance Account, Number 1-01-25-0265-001-043 and funds in the amount of \$15,798.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

**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 FIRST DUE EMERGENCY SUPPLY COMPANY, 444 Hurffville-Crosskeys Road, Sewell, NJ 08080 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item numbers 1-3, 5-6 and 9-11 for EMT Personnel and Item numbers 1-3 for Fire Division Personnel.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$27,156.30, and any other necessary documents, with FIRST DUE EMERGENCY SUPPLY COMPANY 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.



**RESOLUTION R.276-042011**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CONTINENTAL FIRE AND SAFETY, INC. FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT**

**WHEREAS**, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

**WHEREAS**, CONTINENTAL FIRE AND SAFETY, INC., 180 Volusia Avenue, Trenton, NJ 08610, submitted the lowest legally responsible, responsive bid for various items of the bid; and

**WHEREAS**, the maximum amount of this purchase shall not exceed \$368,934.00 and funds in the amount of \$341,696.00 have been certified to be available in the US Dept. of Energy AFG-FEMA Grant, Account to be determined upon budget adoption; \$26,720.00 have been certified to be available in the Fire Fighting Clothing and Uniforms Account, Number 1-01-25-0265-001-032 and funds in the amount of \$518.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

1. All bids have been reviewed, and the bid submitted by CONTINENTAL FIRE AND SAFETY, INC., 180 Volusia Avenue, Trenton, NJ 08610 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item number 4 for EMT Personnel and Item numbers 4-6 and 8-9 for Fire Division Personnel.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$275,064.00, and any other necessary documents, with CONTINENTAL FIRE AND SAFETY, 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.

**RESOLUTION R.277-042011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO INNOVATIVE DATA SOLUTIONS FOR THE POWER SUITE SUBSCRIPTION FOR THE DIVISION OF POLICE**

**WHEREAS**, quotes were solicited by The Township of Edison for the Power Suite Subscription which is the in house training software package for the Division of Police; and

**WHEREAS**, INNOVATIVE DATA SOLUTIONS, P.O. Box 2468, Orlando, FL 32802-2468 submitted the sole quote in the amount not to exceed \$5,400.00 for the year 2011; and

**WHEREAS**, funds in the amount of \$5,400.00 have been certified to be available in the Dispatch 911-Other Professional Services Account, No. 1-01-25-0250-000-028.

**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 INNOVATIVE DATA SOLUTIONS, P.O. Box 2468, Orlando, FL 32802-2468 for the Power Suite Subscription for the Division of Police, is determined to be the sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$5,400.00, and any other necessary documents, with INNOVATIVE DATA SOLUTIONS.

**RESOLUTION R.278-042011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO GLOBAL CONNECT 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**, GLOBAL CONNECT, 5218 Atlantic Avenue, Suite 202, Mays Landing, NJ 08330 submitted the lowest quote in the amount of \$17,485.00 for the period of May 1, 2011 through April 30, 2012; and

**WHEREAS**, funds in the amount of \$17,485.00 have been certified to be available in the Dispatch 911-Other Contractual Items Account, No. 1-01-25-0250-000-029, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

**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 GLOBAL CONNECT, 5218 Atlantic Avenue, Suite 202, Mays Landing, NJ 08330 for The Emergency Notification System for the Division of Police, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$17,485.00, and any other necessary documents, with GLOBAL CONNECT.

**RESOLUTION R.279-042011**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO VARGA ENTERPRISES  
INCORPORATED FOR REMANUFACTURED AUTOMATIC POLICE TRANSMISSIONS**

**WHEREAS**, bids were received by the Township of Edison on March 24, 2011 for Public Bid No. 11-03-07, Remanufactured Automatic Police Transmissions for the Division of Police; and

**WHEREAS**, VARGA ENTERPRISES INCORPORATED, 973 Joyce Kilmer Road, North Brunswick, NJ 08902, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the maximum amount of the purchase is \$26,000.00 and funds have been certified to be available in the Police Vehicles-Maintenance of Motor Vehicles Account, Number 1-01-26-0315-002-025, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

**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 VARGA ENTERPRISES INCORPORATED, 973 Joyce Kilmer Road, North Brunswick, NJ 08902 for Remanufactured Automatic Police Transmissions for the Division of Police, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$26,000.00, and any other necessary documents, with VARGA ENTERPRISES INCORPORATED 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.

**RESOLUTION r.280-042011**

WHEREAS, the Township Engineer advises that an inspection has been made of (Lily Donuts) Dunkin Donuts., Application #Z75-01/02 located at 1790 Lincoln Hwy in Block: 160-B, Lot: 16 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, as of October 12, 2008 the inspection fee account for this project is a zero balance; and

WHEREAS, the Certificate of Occupancy date is October 4, 2007, and since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No. 12498 of The Service Insurance Company, Inc. in the amount of \$25,039.80 with the Township of Edison, principal being Lily Donuts Corp. d/b/a Dunkin Donuts, Anton Nader and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #806645244 in the **amount of \$2,782.20, on deposit in account #7200025347** with the Township of Edison, **principal being Anton Nader, (Lily Donuts) LRM Group Inc. having offices at 8 Winchester Drive, Scotch Plains, N.J. 07076-2723**, and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to **return the aforesaid Performance Bond in the amount of \$25,039.80 to the applicant; and**

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to **return the aforesaid Cash Performance Bond in the amount of \$2,782.20, plus accrued interest, if applicable, on deposit in account #7200025347 to the applicant.**

## **R E S O L U T I O N r.281-042011**

WHEREAS, THE COLLECTOR OF TAXES advises that the Township of Edison had a Tax Certificate erroneously issued, which needs to be cancelled:

<u>BLOCK</u>	<u>LOT</u>	<u>CERTIFICATE HELD BY:</u>	<u>CERT. NO.</u>	<u>AMOUNT</u>
427	26	Township of Edison	09-00301	\$ 10,504.25

WHEREAS, the Tax Certificate was created for unpaid sewer charges related to the Oaks Condo Association, which was inaccurate due to the fact that these meters were all verified to be designated irrigation meters as verified by Middlesex Water Company

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison that the appropriate Municipal Officers be, and they are hereby authorized to execute a cancellation and discharge of the aforementioned Tax Sale Certificate, which represents the original principal amount