

**AGENDA  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
Monday, May 7, 2012  
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 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
  - a. Closed Session Meeting of April 23, 2012
6. **ADMINISTRATIVE AGENDA:  
FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Appointment to the Library Board of Trustees
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Award of bid for Contract No. 12-02-10, Maintenance and Repair of Office Equipment
  - b. Resolution authorizing payment to Elizabeth Truck Center
10. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through May 3, 2012
  - b. Resolution authorizing refund in the amount of \$123,936.59 for redemption of tax sale certificates.
  - c. Resolution authorizing refund of sewer use fee overpayments, totaling \$315.57.
  - d. Resolutions authorizing release of street opening escrow
  - e. Temporary Emergency Appropriations
11. **FROM THE DEPARTMENT OF HEALTH:**
  - a. Resolution authorizing application to H-Mart Foundation for a grant.
12. **FROM THE DEPARTMENT OF LAW:**
  - a. Resolution designating developer for the former Revlon property
13. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
  - a. Resolution authorizing agreement with the County of Middlesex for the intersection of Woodbridge Avenue/Gurley Road/ Trenton Avenue.
  - b. Award of bid for Contract No. 12-29-01, Harding Avenue Sanitary Sewer Rehabilitation
  - c. Award of Change Order No. 1 to contract with Penyak Roofing Company, Inc.
  - d. Award of contract for the restoration of the Raritan Riverfront
  - e. Rejection of bids for Contract No. 12-25-01, 2012 CDBG Curb and Sidewalk Replacement program for various streets
14. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
  - a. Resolution authorizing recycling tonnage grant

15. **FROM THE DEPARTMENT OF RECREATION:**
  - a. Resolution authorizing reimbursement
16. **FROM THE CHIEF OF POLICE:**
  - a. Pedestrian Safety Enforcement and Education Grant
  - b. Click It or Ticket Mobilization Grant
  - c. Award of bid for Contract No. 12-04-12, Online Training Software
17. **FROM THE TOWNSHIP CLERK:**
  - a. Person to Person Transfer of Liquor License No. 1205-33-063-002, AMC Theaters

18. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

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

O.1797-2012 AN ORDINANCE AMENDING SECTION 24-4 OF THE CODE OF THE TOWNSHIP OF EDISON REGARDING PARK AND RECREATION FEES

O.1798-2012 AN ORDINANCE AMENDING SECTION 7-29 OF THE CODE OF THE TOWNSHIP OF EDISON ESTABLISHING A MID-BLOCK CROSSWALK ON VINEYARD ROAD

O.1799-2012 AN ORDINANCE AMENDING THE SALARY ORDINANCE FOR THE POSITIONS OF MUNICIPAL CLERK AND DEPUTY MUNICIPAL CLERK

O.1800-2012 AN ORDINANCE AMENDING SECTION 2 OF THE CODE OF THE TOWNSHIP OF EDISON REGARDING HIRING PROCEDURES AND QUALIFICATIONS FOR THE POSITION OF FIREFIGHTER

20. **COMMUNICATIONS:**
  - a. Electronic Mail Message from Andrew Drebych regarding donations for Edison First Aid Squad #2 – receive and refer to Administration

21. **DISCUSSION ITEMS:**

**Council President Karabinchak**

- a. Tax Appeals
- b. Oak Tree and Woodland Intersection
- c. Edison Tower
- d. Capital Improvement Plan
- e. Green Technology (plastic bags)
- f. Appointment to the Ethics Board

**Councilmember Diehl**

None

**Councilmember Gomez**

None

**Councilmember Lankey**

None

**Councilmember Lombardi**

None

**Councilmember Mascola**

None

**Councilmember Prasad**

None

22. **CLOSED SESSION:**  
None

23. **ADJOURNMENT**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITTO COPY SYSTEMS  
FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT**

**WHEREAS**, bids were received by the Township of Edison on April 27, 2012 for Public Bid No.12-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

**WHEREAS**, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$38,000.00, 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)).

**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 DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison, 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 \$38,000.00 any other necessary documents, with DITTO COPY SYSTEMS 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 AUTHORIZING PAYMENT OF \$24,544.37 TO ELIZABETH TRUCK CENTER - \$22,044.37 OF IT TO BE PAID BY INSURANCE**

**WHEREAS**, during a fire at the Municipal Garage on February 17, 2012 in which four trucks were involved, three of the trucks were totaled and one truck was damaged; and

**WHEREAS**, the damaged truck was sent to ELIZABETH TRUCK CENTER, 878-C North Avenue, Elizabeth, NJ 07201 for repairs; and

**WHEREAS**, total truck damage was \$24,544.37; \$22,044.37 of it to be paid by insurance; and

**WHEREAS**, funds in the amount of \$24,544.37 have been certified to be available in the Reserve for Self Insurance Account, Number T-13-00-0013-000-000.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to ELIZABETH TRUCK CENTER, 878-C North Avenue, Elizabeth, NJ 07201 in the amount of \$24,544.37.

**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 \$123,936.59.

## RESOLUTION

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 \$315.57 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 TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000042**, to the following:

**Permit Number:** 10300

**Opening Location:** 10 BROX RD

**Block/Lot:** 169A/4

**Applicant's Name & Address:** DCR

PO BOX 4195

70 LEONARD

METUCHEN, NJ 08840

**Initial Deposit Date:** 1/9/2012

**Deposit Amount:** \$480

**Paid by and refunded to:** CERTIFIED KITCHENS, INC

160 RARITAN CTR PKWY ST 17

EDISON, NJ 08837

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of this resolution to the Director of Finance.



**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000044**, to the following:

**Permit Number:** 10118

**Opening Location:** 11 KIMBLE STREET

**Block/Lot:** 218/9

**Applicant's Name & Address:** TPI ENVIRONMENTAL, INC

45 TAMARACK DRIVE

CARVERSVILLE, PA 18913

**Initial Deposit Date:** 1/13/2012

**Deposit Amount:** \$100

**Paid by and refunded to:** SAME AS APPLICANT

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of this resolution to the Director of Finance.

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000046**, to the following:

**Permit Number:** 10121

**Opening Location:** 6 FAIRWAY CT

**Block/Lot:** 597.B/34

**Applicant's Name & Address:** A&N LANDSCAPING

DBA MATTCO PLUMBING

220 SOUTH AVE

WESTFIELD, NJ

**Initial Deposit Date:** 1/9/2012

**Deposit Amount:** \$480

**Paid by and refunded to:** MATTCO PLUMBING

PO BOX 288

METUCHEN, NJ 08840

BE IT FURTHER RESOLVED that the Township Council of the Towns

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000048**, to the following:

**Permit Number:** 10135

**Opening Location:** 11 JONES PL

**Block/Lot:**

**Applicant's Name & Address:** ABSOLUTE CONSTRUCTION

112 10<sup>TH</sup> AVENUE

ROSELLE, NJ

**Initial Deposit Date:** 2/23/2012

**Deposit Amount:** \$360

**Paid by and refunded to:** GUK Y WONG & MUICHUN HO

11 JONES PL

EDISON, NJ 08817

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000049**, to the following:

**Permit Number:** 10148

**Opening Location:** 11 KIMBLE ST

**Block/Lot:** 218/9

**Applicant's Name & Address:** ENVIRONMENTAL PROBING

INVESTIGATIONS

16 HORNERSTOWN RD

CREAM RIDGE, NJ 08514

**Initial Deposit Date:** 2/27/2012

**Deposit Amount:** \$100

**Paid by and refunded to:** SAME AS APPLICANT

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of this resolution to the Director of Finance.

**TOWNSHIP OF EDISON**  
**MUNICIPAL RESOLUTION**

**WHEREAS,** The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty one years ago; and

**WHEREAS,** the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

**WHEREAS,** the H-Mart Foundation has grant funds available, through its Local Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations and agencies of the communities H-Mart stores serve, for which it continues to solicit on-line and hardcopy requests; and

**WHEREAS,** the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$5,000.00 from the H-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its Summer Program; and

**WHEREAS,** no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the H-Mart Foundation; and

**WHEREAS,** the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the H-Mart Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, May 9, 2012.

EXPLANATION: This Resolution declares Morris Route 27 Development Associates, LLC as the designated redeveloper of a portion of the property commonly known as the former Revlon property being Block 124, Lot 22.01 and approves their concept redevelopment project for property.

## EDISON TOWNSHIP

### RESOLUTION

**WHEREAS**, the Township Council adopted Resolution R.350-052011 on May 25, 2011 the Township Council declared the area known as the former Revlon property being Block 124, Lots 21, 22, and 2-E-5 (the "Area") as an area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-5(b), (d) and (e) of the "Local Redevelopment and Housing Law" N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and pursuant to the provisions of N.J.S.A. 40A:12A-7(f) directed the Planning Board to prepare a Redevelopment Plan for the Area and to forward the same to the Township Council for consideration; and

**WHEREAS**, in the interim pursuant to the Planning Board Resolution adopted on August 17, 2011 the property was resubdivided and all of the existing buildings and warehouse structures will remain and will be contained on new Lots 21.01, 23.01 and 22.02. New Lot 22.01, which contains 35.98 acres of the 62.40 acre property, and is the portion of the Redevelopment Area located at the center, will be cleared of the remaining concrete foundation structures and asphalt and used for Redevelopment.

**WHEREAS**, at the Planning Board meeting of January 30, 2012 the Planning Board adopted a resolution memorializing their determination made at the same meeting, adopting the "Revlon Property Redevelopment Plan for Block: 124, Lot 22.01" dated January 27, 2012 prepared by Bignell Planning Consultants (the "Redevelopment Plan") pursuant to the provisions of N.J.S.A. 40A:12A-7(a), (e) and (f) as the proposed Redevelopment Plan for the Area; and

**WHEREAS**, by Township Council Ordinance O.1792-2011 adopted on February 23, 2012 the Township Council adopted the "Revlon Property Redevelopment Plan for Block: 124, Lot 22.01" dated January 27, 2012 prepared by Bignell Planning Consultants (the "Redevelopment Plan") pursuant to the provisions of N.J.S.A. 40A:12A-7(a), (e) and (f) as the Redevelopment Plan for the Area; and

**WHEREAS**, the owner of the Area, Morris Route 27 Development Associates, LLC, with a business address of: c/o The Morris Companies, 350 Veterans Boulevard, Rutherford, NJ, 07070 has requested to be designated as the Redeveloper of the Area; and

**WHEREAS**, Morris Route 27 Development Associates, LLC submitted plans for their redevelopment project to the Township Council for a consistency review with the Redevelopment Plan and for concept approval, entitled: "\_\_\_\_\_" dated \_\_\_\_\_, revised through \_\_\_\_ prepared by and \_\_\_\_\_ containing \_\_\_\_ sheets ("Concept Plan") which in general terms proposes a 695,073 square foot building, with 665,073 square feet of warehouse and 30,000 square feet of office, with associated loading facilities, passenger vehicle parking and truck/trailer parking and related site amenities.

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

1. The owner of the Redevelopment Area Morris Route 27 Development Associates, LLC is hereby designated as the Redeveloper of the Area ("Redeveloper") pursuant to N.J.S.A. 40A:12A-8(f), (n) and 40A:12A-15.

2. The Redeveloper's redevelopment project as conceptually depicted in the plans entitled: "\_\_\_\_\_" dated \_\_\_\_\_, revised through \_\_\_\_\_ prepared by \_\_\_\_\_ and containing \_\_\_\_ sheets ("Concept Plan") is hereby approved as being consistent with the standards and intent of the Redevelopment Plan for this Area.

3. The Redeveloper shall submit an application to the Township Planning Board and other outside agencies for review and approval based upon the herein approved Concept Plan as provided for by N.J.S.A. 40A:12A-13.

4. Should the Township Planning Board grant any variances or waivers from the standards of the Redevelopment Plan for this Area, or should the application as approved by the Planning Board and/or other outside agencies vary materially from the herein approved Concept Plan, the Redeveloper shall return to the Township Council for final approval.

5. After approval by the Planning Board and other outside agencies, and final approval by the Township Council if so required, the Redeveloper shall enter into a redevelopment agreement pursuant to N.J.S.A. 40A:12A-9 prior to the commencement of any site work and/or construction.

6. A certified copy of this Resolution shall be provided to the Township Planning Board and the Redeveloper.

**EXPLANATION:** This resolution amends and modifies the inter-local cost-share agreement between the County of Middlesex and the Township of Edison pertaining to the previously executed agreement authorized under Resolution R.422-082005 for the traffic signalized intersection improvements at Woodbridge Avenue and Gurley Road / Trenton Avenue.

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS,** the Township of Edison on August 24, 2005 (R.422-082005) authorized a Cost-Share Agreement with the County of Middlesex for a project consisting of the construction of new traffic signals and signalized intersection improvements at Woodbridge Avenue and Gurley Road / Trenton Avenue; and

**WHEREAS,** the County of Middlesex has established the pre-bid cost-share contribution due from the Township of Edison in the amount of \$1 million to be deposited with the County of Middlesex prior to County advertisement for bids on the project; and

**WHEREAS,** the County of Middlesex has requested that the inter-local cost-share agreement between the County of Middlesex and the Township of Edison, pertaining to the previously executed agreement authorized under Resolution R.422-082005 for the traffic signalized intersection improvements at Woodbridge Avenue and Gurley Road / Trenton Avenue, be amended and modified to reflect the revision to the pre-bid cost share contribution; and

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the subject inter-local cost-share agreement between the County of Middlesex and the Township of Edison shall be amended and modified as per the attached AMENDMENT No. 1, and the Mayor of the Township of Edison and the Clerk of the Township of Edison are hereby authorized to execute the attached AMENDMENT No. 1 to the AGREEMENT FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF WOODBRIDGE AVENUE AND GURLEY ROAD / TRENTON AVENUE, and once executed shall be forwarded to the County of Middlesex for further execution.



**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ALLSTATE POWER VAC INCORPORATED FOR HARDING AVENUE SANITARY SEWER REHABILITATION**

**WHEREAS**, bids were received by the Township of Edison on April 3, 2012 for Public Bid No. 12-29-01, Harding Avenue Sanitary Sewer Rehabilitation for the Township of Edison; and

**WHEREAS**, ALLSTATE POWER VAC INCORPORATED, 928 E. Hazelwood Avenue, Rahway, NJ 07065 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract shall not exceed \$85,310.00; and

**WHEREAS**, funds in the amount of \$85,310.00 have been certified to be available in the Wastewater Collection System Account, Number C-08-05-0007-007-000 and;

**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 ALLSTATE POWER VAC INCORPORATED, 928 E. Hazelwood Avenue, Rahway, NJ 07065 for Harding Avenue Sanitary Sewer Rehabilitation for the Township of Edison, 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 \$85,310.00, and any other necessary documents, with ALLSTATE POWER VAC 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 AUTHORIZING CHANGE ORDER # 1 TO THE CONTRACT WITH PENYAK  
ROOFING COMPANY

**WHEREAS**, Resolution R.221-042012 dated April 11, 2012 authorized a contract with PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080 for Case #0611 to provide improvements to qualified single family, owner occupied dwelling to the Township of Edison, in the amount of \$6,640.00; and

**WHEREAS**, during the performance of said roofing contract, the contractor took off the shingles and it was discovered that there were areas of severely rotted wood that required plywood to be replaced; and

**WHEREAS**, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

**WHEREAS**, the amount of this change order is \$165.00 and funds in this amount have been certified to be available in the Housing Rehabilitation Account, No. T-14-11-0510-000-001.

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

1. **Change Order #1 to the contract with PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080 is hereby authorized in the amount of \$165.00.**
2. **A brief notice shall be printed once in an official newspaper and filed with the Township Clerk indicating the additional amount to be expended, the original contract price, the nature of the original and additional work, and why it is necessary to expend the additional funds.**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO  
CONVERSE CONSULTANTS FOR THE CLOSURE OF THE EDISON LANDFILL AND FOR  
THE RESTORATION OF THE RARITAN RIVERFRONT**

**WHEREAS**, Converse Consultants, 622 Route 10 W., Suite 10, Whippany, NJ 07981, under resolutions R.030-012005 and R.196-042008 was awarded a contract with Edison Township to provide professional engineering services for the closure of the Edison Landfill and the restoration of the Raritan Riverfront; and

**WHEREAS**, Purchase Orders were issued and the balance of this professional services contract relating to the closure of the Edison Landfill and Raritan Riverfront Restoration is \$69,129.77; and

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

**WHEREAS**; the total amount of this contract shall not exceed \$69,129.77; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents with Converse Consultants, 622 Route 10 West, Suite 10, Whippany, NJ 07981, in the amount not to exceed \$69,129.77, the balance of the original contract, as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding as per N.J.S.A. 40A:11-1 et.seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**RESOLUTION REJECTING ALL BIDS FOR 2012 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM FOR VARIOUS STREETS, TOWNSHIP OF EDISON**

**WHEREAS**, the Township of Edison advertised for bids by public notice published in the Home News on March 24, 2012, for Public Bid No. 12-25-01, 2012 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM FOR VARIOUS STREETS, TOWNSHIP OF EDISON with a bid opening date of April 11, 2012 and there were thirteen bidders that ranged in price from \$297,824.00 to \$454,860.00; 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. 12-25-01 entitled "2012 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM FOR VARIOUS STREETS, TOWNSHIP OF EDISON " 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

**WHEREAS**, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2011 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Municipal Council of the Township of Edison to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison that Edison Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection designates Jeffrey Roderman CPWM, CRP as Director of Public Works, to ensure that said application is properly completed and timely filed.

**Be It Further Resolved** that the monies received from the tonnage grant is deposited to be used solely for the purpose of recycling.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
ANTHONY TORNTORE**

**WHEREAS**, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

**WHEREAS**, Anthony Torntore paid \$400 for the Antonio's Pizza softball team to participate in the Edison Township Recreation League.

**WHEREAS**, Antonio's Brick Oven Pizza agreed to sponsor said team and also paid the entrance fee after Anthony Torntore paid said fee.

**NOW, THEREFORE, IT IS RESOLVED** by the Council of the Township of Edison that the Chief Financial Officer of the Township of Edison shall refund the amount of \$400.00 to Anthony Torntore, 5 Dolores Dr., Edison, NJ 08817, which amount represents the league entrance fee.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
GLORIA HENNESSEY FOR THE ABC PROGRAM**

**WHEREAS** Gloria Hennessey made payment in the amount of \$150.00 for her child Coby Wright's participation in the ABC Program at James Monroe Elementary School for the months of May and June; and

**WHEREAS** Coby Wright has a sibling remaining in the program; which makes Coby Wright's monthly fee \$75.00.

**WHEREAS** Gloria Hennessey made payment in advance for the months of May and June but the child was removed from the program in April.

**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 Gloria Hennessey, 79 Roosevelt Blvd., Edison, NJ 08820, which amount represents the half price sibling monthly fee for the ABC Program.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
MIRKASIM LASKAR FOR THE PRE-SCHOOL PROGRAM**

**WHEREAS** Mirkasim Laskar made payment in the amount of \$111.00 for his child Mihran Laskar's participation in the 3 year old Pre-School Program; and

**WHEREAS** Mihran Laskar was removed from the program in March.

**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 \$111.00 to Mirkasim Laskar, 507 Village Dr., Edison, NJ 08817, which amount represents the monthly fee for the Pre-School program.



**Resolution**  
***2013 Pedestrian Safety Enforcement and***  
***Education***  
***Grant Application and Initiative***

**Whereas**, the Division of Police wishes to apply for grant funding in the amount of \$15,000.00 to provide additional manpower hours to educate the public in pedestrian laws, increased enforcement of traffic laws, and additional signage; and

**Whereas**, in 2009, 4,092 pedestrians were killed in traffic accidents in the United States and more than 60,000 pedestrians were injured; and

**Whereas**, between 2009 – 2011, 11 pedestrians have lost their lives on Edison roadways, and

**Whereas**, an enforcement crackdown is planned to combat traffic violations related to pedestrian laws; and

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

**Whereas**; the project will involve increased enforcement and education from July 1, 2012 through June 30, 2013; and

**Whereas**; an increase in education and enforcement will save pedestrians lives on our roadways;

**Therefore**, be it resolved that the Edison Township Council and the Division of Police declares it's support for the grant application and participation in *The Pedestrian Safety Grant Program FY 2013* from July 1, 2012 through June 30, 2013 and pledges to increase awareness of pedestrian safety laws.

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

## RESOLUTION

### **RESOLUTION APPROVING ACCEPTANCE OF THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM MAY 21 – JUNE 3, 2012.**

**WHEREAS,** there were 638 vehicle fatalities in New Jersey in 2011; and

**WHEREAS,** a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS,** use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS,** the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 – 2000; and

**WHEREAS,** Edison Township will participate in the nationwide Click It or Ticket seat belt mobilization from May 21 – June 3, 2012 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

**WHEREAS,** a further increase in seat belt usage in Edison and the State of New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED** that the Township of Edison declares its acceptance of the available grant funding of \$4,000 to support the *Click It or Ticket* safety belt mobilization from May 21 – June 3, 2012.

**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 April 27, 2012 for Public Bid No.12-04-12 - 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 shall not exceed \$23,680.00; and

**WHEREAS**, funds in the amount of \$23,680.00 have been certified to be available in the Federal Forfeited Property Account, Number T-13-00-0000-000-008.

**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 ROGERS 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 her designee, is hereby authorized to execute a contract in the amount not to exceed \$23,680.00, and any other necessary documents, with THE ROGERS GROUP, LLC 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**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License #1205-33-063-002, heretofore issued to AMC Entertainment International, Inc, t/a AMC Theaters Menlo Park 12 for premises located at 55 Parsonage Road, Ste 390, Edison, NJ 08837; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

**NOW, THEREFORE BE IT RESOLVED** that the Edison Township Governing Body does hereby approve, effective May 9, 2012, the transfer of the aforesaid Plenary Retail Consumption License to AMC Theaters of New Jersey, Inc, t/a AMC Theaters Menlo Park 12 for premises located at 55 Parsonage Road, Ste 390, Edison, NJ 08837 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to AMC Theaters of New Jersey, LLC, effective May 9, 2012."

**EXPLANATION:** This Ordinance revises Code Section 24-4 Park and Recreation Fees to set the fees by Resolution.

**EDISON TOWNSHIP**

**ORDINANCE O.1797-2012**

**WHEREAS,** the Township Council wishes to amend existing Township ordinances to provide for greater flexibility in regard to the manner in which fees are set for park and recreation fees.

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

**SECTION I.** Chapter XXIV Parks and Recreation Areas, 24-4 Park and Recreation Fees is hereby amended as follows:

Existing Section 24-4.1 entitled "Fee Schedule" shall be deleted in its entirety and replaced with the following new section:

24-4.1 Fee Schedule.

The fees for the usage of Township parks, recreations areas and facilities and programs offered therein or by the Township shall be set by Resolution.

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

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

**EXPLANATION:** This Ordinance establishes a Mid-Block Crosswalk on Vineyard Road, with the Mid-Block Crosswalk being located between Pine Street and Mercury Road.

***EDISON TOWNSHIP***

**ORDINANCE O.1798-2012**

**WHEREAS**, the Township of Edison wishes to establish a Mid-Block Crosswalk on Vineyard Road, with the Mid-Block Crosswalk being located between Pine Street and Mercury Road; and

**WHEREAS**, the Township of Edison is permitted to adopt said ordinance without the approval of the Commissioner of Transportation pursuant to N.J.S.A. 39:4-197 and N.J.S.A. 39:4-8; and

**WHEREAS**, as required by N.J.S.A. 39:4-8, the Township Engineer has provided the appropriate certification.

**BE IT ORDAINED**, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter VII Traffic, Section 7-29 entitled “MID-BLOCK CROSSWALKS” is hereby amended as follows:

**SECTION I.** Section 7-29 entitled “MID-BLOCK CROSSWALKS” is hereby amended to **ADD Vineyard Road**, in alphabetical order, to the listing of mid-block crosswalks as follows:

*Name of Street*

*Location*

**Vineyard Road**

**Located on Vineyard Road at the mid-way point between the north-most extension of Pine Street and the south-most extension of Mercury Road.**

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

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

**EXPLANATION:** This ordinance amends the Salary Ordinance for the position of Municipal Clerk and Deputy Municipal Clerk.

**EDISON TOWNSHIP**

**ORDINANCE O.1799-2012**

BE IT ORDANINED, by the Township Council of the Township of Edison in the County of Middlesex, State of New Jersey as follows:

**SECTION 1.** Clause 1 of Subsection A. entitled “Minimum and Maximum Base Salaries” of Section 1 entitled “Full Time Employee Salaries” Ordinance O. 1761-2012 adopted on November 22, 2010 is hereby amended as follows:

| Position:              | Minimum   | Maximum   |
|------------------------|-----------|-----------|
| Municipal Clerk        | 45,000.00 | 90,000.00 |
| Deputy Municipal Clerk | 36,000.00 | 60,000.00 |

**SECTION 2.** This ordinance shall take effect twenty (20) days after adoption, publication and approval by Mayor in accordance with N.J.S.A. 40:69A-181(b).

**SECTION 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EXPLANATION: This Ordinance amends the existing hiring procedures and qualifications for career firefighters.

## EDISON TOWNSHIP

### ORDINANCE

WHEREAS, the Township of Edison now desires to amend the existing hiring procedures and qualifications for career firefighters.

NOW, THEREFORE, BE IT ORDAINED by the Township of Edison, County of Middlesex, New Jersey, that the Code of the Township of Edison is hereby amended and supplemented as follows:

**SECTION I.** Chapter II Administration, Article III Departments, Section 2-33 Division of Fire as follows:

2-33.5 Firefighters; Entry Level Criteria.

a. ~~Pursuant~~ All appointments to the Edison Fire Division shall be made pursuant to N.J.S.A. 40A:14-44, N.J.S.A. 40A:14-81.2 and/or as otherwise required by the Township Code for the hiring of new employees, this Section or at law. ~~all appointments to the Edison Fire Division shall be made from the members of the volunteer fire company or force, who shall have served as an active fireman for at least two (2) years next preceding such appointment, prior to examination closing date, or an exempt firefighter of Edison Township and if no such member or exempt fireman is available for such appointment, any qualified person may be appointed.~~ Each applicant shall have the following qualifications: as required by N.J.S.A. 40A:14-44, N.J.S.A. 40A:14-81.2 and/or as otherwise required by the Township Code for the hiring of new employees, this Section or at law, and in addition:

~~1. Applicant must be a citizen of the United States.~~

~~2. Applicant must be of good moral character; never convicted of any criminal offense involving moral turpitude, an offense involving dishonesty, or a crime of the third degree or above.~~

~~3. Applicant must have a high school diploma or general equivalency diploma and be able to read, write and speak the English language well and intelligently.~~

1. All appointments to the Edison Fire Division shall be made from the members of the volunteer fire company(s) or force, who shall have served as an active fireman for at least two (2) years prior to such appointment, or be an exempt firefighter of Edison Township and if no such member or exempt fireman is available for such appointment, any qualified person may be appointed. The determination of whether a member of the volunteer fire company(s) or force "has served as an active fireman for at least two (2) years prior to such appointment" shall be made by the Chief of the Fire Division, based upon a written policy issued by the Chief of the Fire Division which shall be applicable to all the members of the volunteer fire company(s) or force.

2. All appointees shall not be under 21 or over 40 years of age at the time of the appointment.

3. All appointees must be a citizen of the United States.

4. All appointees shall be eligible for acceptance in the Public Employees' Retirement System of New Jersey or in the Police and Firemen's Retirement System of New Jersey.

5. All appointees shall be able to read, write, speak and comprehend the English language well and intelligently.

6. All appointees shall be of good moral character.

7. All appointees shall never have been convicted of any criminal offense involving moral turpitude, an offense involving dishonesty, or a crime of the third degree or above.

8. All appointees shall have a high school diploma or general equivalency diploma.

~~4. 9. Applicant~~ All appointees must be able to pass physical agility test.

~~5. 10. Applicant~~ All appointees should be medically fit and sound, exhibiting no physical impairment which would render the applicant incapable of performing the duties of a fire fighter. Applicant must have normal hearing, be able to distinguish colors accurately and have 20/30 corrected vision.

~~6. 11. Applicant~~ All appointees must pass the prescribed examinations of physical agility, written, oral, medical and psychology.



~~7. 12. Applicant~~ All appointees must possess a valid New Jersey Division of Motor Vehicle driver's license at the time of appointment.

Should any provision of this Section conflict with the Township Code for the hiring of new employees or other requirements of the law, the more stringent provision shall prevail unless contrary to or prohibited by law.

b. All applicants shall consent to and pass the background investigations required by N.J.S.A. 40A:14-81.2 and/or as otherwise required by the Township Code for the hiring of new employees, this Section or at law, and the following background investigations which will include the following:

1. FBI record check;
2. State police record check;
3. Local police record check;
4. Education record check;
5. Credit bureau record check;
6. Military record check;
7. Past/current employment record check;

8. Interviews of family, friends, neighbors and acquaintances, employers (past and present), teachers, clergy, co-workers, law enforcement personnel and any other person who may know the applicant;

9. Driving record;

10. Medical/physical history and evaluation, and psychological history and evaluation, including present and past injuries and history of sick days taken during periods of employment;

11. Personal habits including, but not limited to, social habits and possible substance abuse;

12. Any other area that might affect the applicant's performance as a member of the Division.

Should any provision of this Section conflict with the Township Code for the hiring of new employees or other requirements of the law, the more stringent provision shall prevail unless contrary to or prohibited by law.

c. Each applicant shall possess a general knowledge of the organization and duties required by the Division and have the ability to perform the following duties either as an individual or as a group:

1. Forcible entry: have a knowledge of the tools and be able to make entry to an occupancy with the proper tool in a reasonable amount of time.

2. S.C.B.A.: shall be physically, medically and mentally capable to don S.C.B.A. in prescribed time and perform fire fighting duties with full turnout gear.

3. First aid: shall be able to perform EMS duties as prescribed by the division, to an appropriate level of training and gain and maintain certification as determined by the Division.

4. Ropes: shall have a knowledge of Division rope, equipment, knots and care of same.

5. Salvage: shall know proper equipment to utilize and under proper conditions to protect personal property.

6. Hose, nozzles, appliances: shall have basic understanding of the use, choice, maintenance, testing and repair and perform basic evolutions on the fire ground in advancing hose lines.

7. Ladders: shall be able to choose, place, maintain, ascend and descend the appropriate ladder.

8. Ventilation: shall be aware of situations and methods of ventilation used by the Division and perform such functions.

9. Inspection: shall possess a common knowledge of hazardous conditions related to various occupancies and perform public presentations.

10. Rescue: shall be able to use safe and proper procedures to effect a rescue of a victim in various situations.

11. Sprinklers: shall possess a basic knowledge in the types, parts, use and pumper operation.

12. Safety: shall have the utmost concern for safe Fire Division operations on the fire ground, in station, driving and be able to identify such conditions and remedy.

13. Fire behavior: shall have a basic knowledge of fire chemistry, behavior and dynamics.

14. Personal conduct: shall be able to work with others, superior officers, take and perform orders and function in a team effort.

d. Notification.

1. The hiring process will begin by a notification to all Edison volunteers through notices posted in all Edison fire stations and notification in the public newspapers stating that the Division of Fire is establishing a list and hiring entry level fire fighters. The notification will list qualifications required, duties, responsibilities, entry level salary and basic employment benefits.

2. There will be a nonrefundable fifty (\$50.00) dollar application fee charged each candidate. Any candidate who can establish to the satisfaction of the Director of Public Safety that he or she is indigent will have the fee waived.

e. Background Check.

1. Each applicant shall submit to the background checks as required by Section 2-33.5(b) and applicant shall pay the costs of the background checks as required by N.J.S.A. 40A:14-18.2(b). The background check will be performed after the applicant has taken and passed the written examination, course examination and oral board but before the List is created. applicant's fingerprints will be taken and submitted to the State of New Jersey and the Federal Bureau of Investigation to determine the possible existence of a criminal record by the applicant.

~~2. Waivers will be obtained and checks conducted in the following areas:~~

~~(a) Driving record;~~

~~(b) Personal credit rating and history;~~

~~(c) High school transcripts;~~

~~(d) Transcripts of higher education;~~

~~(e) Interviews of friends, neighbors, acquaintances, employers (past and present), teachers, clergy, co-workers, law enforcement personnel and any other person who may know the applicant;~~

~~(f) Personal habits including, but not limited to, social habits and possible substance abuse;~~

~~(g) Medical history, including present and past injuries and history of sick days taken during periods of employment;~~

~~(h) Any other area that might affect the applicant's performance as a member of the Division.~~

~~3.2~~ The following areas are set forth to list the reasons for which an applicant might fail this phase of the criteria:

(a) Conviction of a crime of the third degree or higher;

(b) Conviction of any crime involving arson;

(c) Falsification of any pre-employment information;

(d) Applicant does not possess a valid New Jersey driver's license, or negative results which would affect or call into questions the applicant's ability to fulfill the job responsibilities;

(e) Applicant is not a high school graduate or equivalent;

(f) Applicant, in the opinion of the Director of Public Safety, is not of a high moral character based on the results of interviews and investigations;

(g) Failure of drug screen;

(h) Negative medical/physical history and/or evaluation which would affect or call into questions the applicant's ability to fulfill the job responsibilities;

(i) Negative psychological history and/or evaluation which would affect or call into questions the applicant's ability to fulfill the job responsibilities;

(j) Failure of the applicant to cooperate with background investigations including but not limited to not providing consent to such searches, sign required waivers and/or releases, not appearing for medical evaluation and/or psychological evaluation, and/or pay the costs of the background checks as required by N.J.S.A. 40A:14-18.2(b).

f. Testing Procedures.

1. All applicants for the position of fire fighter will be administered the following tests which will be weighted as indicated:

(a) Written examination (~~thirty (30%) percent~~) (weighted 1/3). The written test will be administered by a company, organization or agency that is in the regular business of supplying the fire service with entry level written validated examinations.

(1) A minimum score, ~~recommended by the testing agency,~~ of 70% must be attained on the written examination in order to qualify for the remainder of the testing.

~~(b) Initial oral board (ten (10%) percent).~~

~~(1) Each candidate will be required to appear before an initial oral board. The board will consist of four (4) members of the fire service, selected by the Director of Public Safety, and three (3) community leaders, selected by the Director of Public Safety, with the advice and consent of the Mayor.~~

~~(2) This board will see each candidate without knowing the candidate's name. The candidate will be identified by the same confidential number assigned to him or her for the written examination. The board will ask each candidate the same questions formulated by the board members. These questions will not touch upon the applicant's knowledge or lack of knowledge of the fire service. The testing will be videotaped and retained by the Division of Fire.~~

~~(3) The board will evaluate each applicant in the following areas, with this score comprising ten (10%) percent of the total score.~~

~~(i) Ability to express himself/herself;~~

~~(ii) Demeanor;~~

~~(iii) Dress;~~

~~(iv) Reason for wanting a career in the fire service.~~

~~(e) Written essay (five (5%) percent). After appearing before the oral board, each applicant will be required to answer a question in writing. The answer will be confined to no more than two hundred (200) words and no less than one hundred (100). The candidate will be identified by the confidential number only. The answer will be evaluated to determine the applicant's ability to write and punctuate properly, as well as the applicant's ability to express himself or herself in writing. The question will be read by a person or persons qualified to teach English Composition on a minimum of a high school level. Each paper will be given a numerical score from one (1) to one hundred (100).~~

~~(d)~~ (b) Final oral board (~~twenty five (25%) percent~~) (weighted 1/3).

(1) This board, which will consist of ~~four (4)~~ seven (7) members, will be chosen from well respected members, past and present, of the fire service community, on either a local or State level. ~~The Four (4) members of the board will be selected by the Director of Public Safety, and three (3) members will be selected by the Township Council.~~

(2) This board will prepare a series of questions to be posed to each applicant. The board members will be permitted to ask questions concerning the fire service and problems and qualities that may be encountered by or desired in fire service personnel.

(3) Each applicant will be scored by each member of the board in numerical format.

~~(e)~~ (c) Physical performance examination (~~thirty (30%) percent~~) (weighted 1/3). The applicant, given the proper equipment, will complete the prescribed course in the allotted time. Medical vital signs will be taken before and after the test by members of the training bureau. The test will be in two (2) sections, the first being the course examination and the second being the height ability examination. The two (2) sections have a maximum score of one hundred (100) points.

(1) Course Examination.

(i) The examination is designed to test the degree of the candidate's physical ability. Emphasis is placed on agility, speed and most importantly, endurance.

(ii) The candidate will wear full turnout gear, turnout coat, boots or bunkers, helmet, hood and gloves for Stations No. 1 through Station No. 5; breathing apparatus will be added for Stations No. 6 through No. 9.

(iii) The candidate will stand in front of the ladder at Station No. 1. When given the command "GO" by the examiner, he or she will raise the ladder to the roof. He or she will proceed up the ladder to the roof, touch the top of the parapet and proceed down the ladder. The candidate will then pick up a fifty (50) foot rolled up length of hose at Station No. 2 and proceed to carry it to Station No. 3 and lay it down beside the engine. The candidate will then proceed to the rear of the engine and gather the necessary tools to make a hook-up of fifty (50) feet of three-inch hose to the hydrant at Station No. 4. A hydrant gate will be hooked up to the other port on the hydrant. The candidate will turn the hydrant on fully. The candidate will return to the engine at Station No. 5 and don a breathing apparatus. From the rear of the engine at Station No. 6, he will stretch a two hundred (200) foot one and three-fourths (1 3/4) inch pre-connect line through the door at Station No. 7 and up the stairs to Station No. 8. At Station No. 8, the candidate will drop the nozzle and drag a weighted dummy from Station No. 8 to Station No. 9, which is the finish.

(2) (iv) Height Ability Examination. The candidate will be able to climb the one hundred (100) foot aerial ladder at full extension and at a sixty (60) degree angle to the top of the ladder and return to the table/base of the aerial ladder.

(v) Scoring: Scoring of the candidate on the Course Examination and Height Ability Examination will be as follows:

| Course              | Points | Time                                     |
|---------------------|--------|--|
|                     | 80     | Below 3:15                               |
|                     | 70     | 3:16--3:30                               |
|                     | 60     | 3:31--3:45                               |
|                     | 50     | 3:46--4:00                               |
|                     | 40     | 4:01--4:15                               |
|                     | 30     | 4:16--4:30                               |
|                     | 20     | 4:31--4:45                               |
|                     | 10     | 4:46--5:00                               |
| <u>Climb Height</u> | 20     | <u>No time limit, but must complete.</u> |

g. Ranking of Applicants, List and Appointments.

1. Ranking: After completion of all phases of the testing (including the results of background investigations, but not including the results of the medical/physical and psychological evaluations), each applicant will be placed in the appropriate class as defined in N.J.S.A. 40:14-10.1a ~~40A:14-10.1a~~.

Class I: will consist of all successful applicants residing in Edison Township;

Class II: will consist of all successful applicants residing in Middlesex County;

Class III: will consist of all successful applicants residing in other counties within New Jersey;

Class IV: will consist of all other qualified applicants.

~~2. At the time of appointment, applicants from Class I will be sent for medical/physical/psychological testing. In the event that the applicant fails to satisfactorily pass medical/physical/psychological tests, the next ranking applicant from the list will be sent for these tests. If there are no applicants remaining from Class I, the ranking applicant from Class II will be sent. This procedure will be repeated through Class III and Class IV until the last ranking applicant in Class IV has been sent.~~

~~3. 2.~~ List of qualified Entry Level Firefighters.

~~(a)~~ The list will be in effect for two (2) years from the date of completion of the testing procedure. Applicants will be hired from this list, based on their ranking, subject to the appointment procedure below.

~~(b)~~ Provisions extended through December 31, 2010.

~~(1)~~ The current list for Entry Level Firefighters, attached hereto, may be extended by the Mayor through December 31, 2010.

~~(2)~~ Prior to the hiring any applicant must satisfactorily pass the medical/physical/psychological tests required by paragraph 2. above, and otherwise still be qualified for the position.

3. Appointment:

(a) At the time of appointment all applicants must continue to be qualified for appointment to the Edison Division of Fire as required by this Section and must continue to be a resident of their residency Class as provided above. Additionally, background checks and other related investigations of applicants will be performed again if it has been more than six (6) months since they were performed to create the List, and may be performed again if less than six (6) months has elapsed. Applicants may be disqualified, reduced in residency Class and/or ranking as a result of said background checks and investigations.

(b) After the results of (a) above are received and the List is re-ranked, applicants from Class I, in order of their ranking will be sent for medical/physical/psychological evaluation. In the event that an applicant fails to satisfactorily pass any of the medical/physical/psychological evaluations, the next ranking applicant from the List will be sent for these tests. If there are no applicants remaining from Class I, the ranking applicant from Class II will be sent. This procedure will be repeated through Class III and Class IV until the last ranking applicant in Class IV has been sent.

~~h. This section shall take effect following publication in a time and manner prescribed by law.~~

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

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