

**AGENDA  
MUNICIPAL COUNCIL  
REGULAR MEETING  
Wednesday, May 8, 2013  
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
  - a. Regular Meeting of March 13, 2013
  - b. Regular meeting of March 27, 2013
5. **COUNCIL PRESIDENT'S REMARKS**
6. **CY 2013 SOLID WASTE COLLECTION DISTRICT BUDGET**
  - a. Public Hearing (May 8, 2013)
  - b. Final Adoption (May 8, 2013)
7. **2013 CALENDAR YEAR MUNICIPAL BUDGET**
  - a. Introduction of Amendment
8. **UNFINISHED BUSINESS:  
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND  
FINAL ADOPTION:**

O.1832-2013            AN ORDINANCE AUTHORIZING ACQUISITION,  
NEGOTIATION AND IF REQUIRED CONDEMNATION OF  
INTERESTS IN PROPERTY ON BLOCK 415, LOT 28-C, LOT  
28-D AND LOT 30, BEING 2192 OAK TREE ROAD AND  
BLOCK 555, LOT 2A, BEING 2177 OAK TREE ROAD, WHICH  
ARE REQUIRED FOR THE SIGNALIZED INTERSECTION  
IMPROVEMENTS AT OAK TREE ROAD AND WOODLAND  
AVENUE.
9. **NEW BUSINESS:  
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR  
WEDNESDAY, MAY 22, 2013.**

- O.1833-2013 AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A LEASE AGREEMENT WITH THE EDISON WETLANDS ASSOCIATION, INC. FOR USE OF PORTIONS OF CERTAIN DPW YARDS FOR CLOTHING AND TEXTILE RECYCLING BINS.
- O.1834-2013 AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A LEASE AGREEMENT WITH THE EDISON WETLANDS ASSOCIATION, INC. FOR THE USE OF BLOCK 594-B, LOT 1 OWNED BY THE TOWNSHIP.
- O.1835-2013 AN ORDINANCE REVISING THE PROVISIONS OF THE MUNICIPAL OPEN SPACE PRESERVATION TRUST FUND TO REQUIRE THE PAYMENT OF DEBT SERVICE BEFORE TRUST FUND MONIES CAN BE EXPENDED FOR ACQUISITION.
- O.1836-2013 AN ORDINANCE REVISING THE TOWNSHIP CODE SECTION REGARDING THE LICENSING AND OPERATIONS OF TAXICABS.

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

11. **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.233-052013 Resolution approving disbursements for the period ending May 2, 2013.
- R.234-052013 Resolution authorizing refund in the amount of \$106,788.96 for redemption of tax sale certificates.
- R.235-052013 Resolution authorizing overpayment refund caused by Tax Court Appeal with Freeze Act Provision to Saket Prasad in the amount of \$3,057.08.
- R.236-052013 Resolution authorizing overpayment refund caused by Tax Court Appeal with Freeze Act Provision to Pushkar Nakhre in the amount of \$1,277.18.
- R.237-052013 Resolution authorizing overpayment refund caused by Tax Court Appeal with Freeze Act Provision to Adisak Jesdanun in the amount of \$1,381.35.
- R.238-052013 Resolution authorizing a tax exemption/refund for a disabled veteran for 68 Melbourne Street in the amount of \$8,840.60.
- R.239-052013 Resolution authorizing a tax exemption/refund for a disabled veteran for 53 Hillsdale Road in the amount of \$14,830.78.
- R.240-052013 Temporary Emergency Appropriations for 2013.
- R.241-052013 Resolution reappointing Gary M. Price ESQ as Chief Municipal Court Judge for the Township of Edison for a three year term.

- R.242-052013 Resolution reappointing Parag P. Patel, ESQ as a Municipal Court Judge for the Township of Edison for a three year term.
- R.243-052013 Resolution reappointing Mary H. Casey, ESQ as a Municipal Court Judge for the Township of Edison for a three year term.
- R.244-052013 Resolution appointing Suzanne Cason-O'Neill to the Edison Township Library Board of Trustees for a Five year term.
- R.245-052013 Resolution of need from the Township of Edison Kilmer Homes Urban Renewal I, LP Kilmer Homes I Housing Development.
- R.246-052013 Resolution of need from the Township of Edison Kilmer Homes urban Renewal II, LP Kilmer Homes II Housing Development.
- R.247-052013 Resolution authorizing payment of \$28,993.54 to Libraries of Middlesex for assessment for the Township Libraries for the period of April 1, 2013- June 30, 2013.
- R.248-052013 Resolution authorizing payment of \$8,800.00 to R.R. Bowker, LLC for electronic format subscription renewal (books in print) for the Township Libraries.
- R.249-052013 Resolution refunding Developer Escrow Fees posted by NHCA Homes for Planning Board Application No. P-5146 in the amount of \$581.25.
- R.250-052013 Resolution refunding Developer Escrow Fees posted by Ultimate Collision for zoning Board Application No. Z-05-2012 in the amount of \$289.00.
- R.251-052013 Resolution refunding of a construction permit fee for residential construction permit where inspection services were not performed to A.J. Perri, Inc. in the amount of \$185.00.
- R.252-052013 Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase I in the amount of \$30,780.02.
- R.253-052013 Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, PhaseII in the amount of \$31,574.63.
- R.254-052013 Resolution releasing balance of performance Grurantee on Site plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase III in the amount of \$8,152.25.
- R.255-052013 Resolution Awarding Contract/Purchase order to Hewlett Packard Company for the purchase of seven computers in the amount of \$5,096.00.
- R.256-052013 Resolution authorizing additional Funds for the Emergency Pump Station repair contract with Northeast Fluid Power Co.II, Inc. in an amount not to exceed \$118,814.72.
- R.257-052013 Resolution authorizing a reimbursement for ABC Program to Aakash Kambli in the amount of \$260.00.
- R.258-052013 Resolution awarding reimbursement to various adult baseball teams in the Amount of \$1,900.00.
- R.259-052013 Resolution authorizing the purchase of tickets from Dorney Park and Wildwater Kingdom in the amount of \$5,952.75.
- R.260-052012 Resolution Awarding of a Non-Fair and Open Contract to Queues Enforth Development, Inc. for the maintenance and support of the proprietary

software computer aided dispatch (CAD) and records management systems (RMS) used by the Police & Fire Divisions.

12. **COMMUNICATIONS:**

- a. Electronic letter from Lois Wolke regarding School Budget.
- b. Electronic letter from Don Ohlson regarding North Edison Little League.
- c. Letter received from Sam's Club regarding Liquor Tenant at Edison Town Center.

13. **ORAL PETITIONS AND REMARKS**

14. **ADJOURNMENT**

**EXPLANATION:** An Ordinance authorizing acquisition, negotiation and if required condemnation of interests in property on Block 415, Lot 28-C, Lot 28-D and Lot 30, being 2192 Oak Tree Road, and Block 555, Lot 2A, being 2177 Oak Tree Road, which are required for the signalized intersection improvements at Oak Tree Road and Woodland Avenue.

**EDISON TOWNSHIP**

**ORDINANCE O.1832-2013**

**WHEREAS**, the Township of Edison hereby determines that the Township’s acquisition of the below listed interests in property at the intersection of Oak Tree Road and Woodland Avenue for a public purpose and use, being traffic safety, is desirable and is authorized pursuant to N.J.S.A. 40A:12-1 et seq. and N.J.S.A. 20:3-1 et seq.; and

**WHEREAS**, the Township of Edison has entered into a Cost-Sharing Agreement with the County of Middlesex dated June 19, 2008 which in part provides that Edison is responsible for the acquisition of the required interests in land for the installation of the intersection improvements, including a traffic signal, at this intersection; and

**WHEREAS**, the County of Middlesex has determined that the following listed interests in property at the intersection of Oak Tree Road and Woodland Avenue in the Township of Edison are required for this project:

Right-of-Way (R.O.W.) Component	Description	Land Area Taken (Proposed)
Parcel 1 (part of Block 415, Lot 30)	Oak Tree Road & Woodland Avenue, at NE corner (Valley Playhouse)	1,771 S.F.
Parcel 2 (part of Block 415, Lot 28-C)	Oak Tree Road (Valley Playhouse)	1,535 S.F.
Parcel 3 (part of Block 415, Lot 28-D)	Oak Tree Road (Valley Playhouse)	1,288 S.F.
Temporary Easement 1 (Block 415, Lot 30)	Oak Tree Road	515 S.F.
Temporary Easement 2 (Block 415, Lot 28-C)	Oak Tree Road	390 S.F.
Temporary Easement 3 (Block 415, Lot 28-D)	Oak Tree Road	800 S.F.
Temporary Easement 7 (Block 555, Lot 2A)	Oak Tree Road (Toranco)	554 S.F.

**WHEREAS**, the Township of Edison wishes to authorize a preliminary study, negotiations with the affected property owners and related actions and if negotiations with the affected property owners are not successful to institute condemnation proceedings to acquire the above listed interests in property.

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

1. The Township and its Mayor, Attorney, officials, agents, servants and employees are hereby authorized to conduct a preliminary investigation and study and do all things necessary and proper and required by law for said preliminary investigation and study including but not limited to entering the properties to perform surveying and tests, and to retain surveyors, real estate appraisers subject to the limitations and requirements of Township purchasing ordinances and as provided by law and to conduct

negotiations with the affected property owners and if they are not successful to institute condemnation proceedings to acquire the above listed interests in property.

2. If negotiations with any affected property owner are successful this Ordinance hereby authorizes the preparation and execution of deeds and the acquisition of and acceptance of the above listed interests in property and any other actions and documents reasonably required to effectuate the intent of this Ordinance.

**EXPLANATION:** An Ordinance authorizing the Township of Edison to enter into a Lease Agreement with the Edison Wetlands Association, Inc. for use of portions of certain DPW yards for clothing and textile recycling bins.

**TOWNSHIP OF EDISON**

**ORDINANCE O.1833-2013**

**WHEREAS**, the Township wishes to lease portions of Township property, located at the following Township Yards: (1) the Department of Public Works garage at 745 New Durham Road (2) the Parks garage at 20 New York Boulevard, and (3) the Sewer Division yard at 7 Langstaff Avenue, to the Edison Wetlands Association, Inc., for the purpose of placing bins to collect and recycle clothing and textiles in furtherance of Edison Wetlands Association, Inc.'s Re-Purpose NJ program; and

**WHEREAS**, the Township has determined, pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et. seq., specifically N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24, that the areas are not needed for public use and are not otherwise dedicated or restricted pursuant to law and that the areas to be leased are not presently needed for public use and that, subject to the terms and conditions in the Lease Agreement, the use by the lessee is not of such a character as to be a detriment to the areas, or the use of the areas, and the use of the unleased parts of the areas; and

**WHEREAS**, the Edison Wetlands Association, Inc., the Lessee, is a tax exempt nonprofit corporation under both federal and state laws as required by N.J.S.A. 40A:12-14(c); and

**WHEREAS**, the clothing and textile recycling bins furthers the public purpose of helping to protect and clean up our environment by removing these items from the waste stream and recycling these items which is the public purpose of this Lease pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15(i); and

**WHEREAS**, the Lease shall be for ten (10) years commencing as of the execution of the Lease; and

**WHEREAS**, consideration for the within Lease shall be one (\$1.00) Dollar per year; and

**WHEREAS**, not more than thirty (30) days after the anniversary date of the Lease hereunder, the Lessee shall submit a report to the Township Business Administrator, who shall be responsible for the enforcement of the Lease and all such conditions therein, setting forth the use to which the leasehold was put during the year, the activities of the Lessee undertaken in furtherance of the public purpose for which this leasehold is granted, the approximate value or cost, if any, of such activities in furtherance of such purpose and an affirmation of the continuing tax exempt status of the nonprofit corporation pursuant to both State and Federal law as required by N.J.S.A. 40A:12-14(c) and other reporting requirements and conditions upon the use as set forth in the Lease; and

**WHEREAS**, the Township wishes to enter into the Lease Agreement, which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the attached Lease Agreement is hereby approved.

**BE IT FURTHER RESOLVED**, that the Mayor, Township Administrator, Township Clerk, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the aforementioned Lease Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Lease Agreement and this Ordinance.

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) and publication according to law.

**EXPLANATION:** An Ordinance authorizing the Township of Edison to enter into a Lease Agreement with the Edison Wetlands Association, Inc. for use of Block 594B, Lot1 owned by the Township.

**TOWNSHIP OF EDISON**

**ORDINANCE O.1834-2013**

**WHEREAS**, the Township wishes to lease Township property, being Block 594B , Lot 1 consisting of 35.23 acres in the Dismal Swamp to the Edison Wetlands Association, Inc., for the purpose of developing a series of hiking, biking, and horseback trails adjoining the Edison Wetlands Association, Inc.'s neighboring Triple C Ranch; and

**WHEREAS**, the Township has determined, pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et. seq., specifically N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24, that the areas are not needed for public use and are not otherwise dedicated or restricted pursuant to law and that the areas to be leased are not presently needed for public use and that, subject to the terms and conditions in the Lease Agreement, the use by the lessee is not of such a character as to be a detriment to the areas, or the use of the areas, and the use of the unleased parts of the areas; and

**WHEREAS**, the Edison Wetlands Association, Inc., the Lessee, is a tax exempt nonprofit corporation under both federal and state laws as required by N.J.S.A. 40A:12-14(c); and

**WHEREAS**, this Lease furthers the promotion of the health, safety, morals and general welfare of the community by providing greater public appreciation of and access to the Dismal Swamp which is the public purpose of this Lease pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15(i); and

**WHEREAS**, the Lease shall be for ten (10) years commencing as of the execution of the Lease; and

**WHEREAS**, consideration for the within Lease shall be one (\$1.00) Dollar per year; and

**WHEREAS**, not more than thirty (30) days after the anniversary date of the Lease hereunder, the Lessee shall submit a report to the Township Business Administrator, who shall be responsible for the enforcement of the Lease and all such conditions therein, setting forth the use to which the leasehold was put during the year, the activities of the Lessee undertaken in furtherance of the public purpose for which this leasehold is granted, the approximate value or cost, if any, of such activities in furtherance of such purpose and an affirmation of the continuing tax exempt status of the nonprofit corporation pursuant to both State and Federal law as required by N.J.S.A. 40A:12-14(c) and other reporting requirements and conditions upon the use as set forth in the Lease; and

**WHEREAS**, the Township wishes to enter into the Lease Agreement, which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the attached Lease Agreement is hereby approved.

**BE IT FURTHER RESOLVED**, that the Mayor, Township Administrator, Township Clerk, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver

the aforementioned Lease Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Lease Agreement and this Ordinance.

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) and publication according to law.

**EXPLANATION:** An Ordinance revising the provisions of the Municipal Open Space Preservation Trust Fund to require the payment of debt service before Trust Fund moneys can be expended for acquisition.

**EDISON TOWNSHIP  
ORDINANCE O.1835-2013**

**WHEREAS**, in 1998 the Township Council authorized the holding of a referendum for the creation of an Open Space Trust Fund and the imposition of a Dedicated Open Space Tax which referendum was approved by the voters and thereafter Township Code Section 5-4 was enacted to effectuate the referendum; and

**WHEREAS**, the referendum and Township Code Section 5-4, specifically Sections 5-4.2 and 5-4.4, authorizes but does not require the use of the Trust fund moneys to incur debt (such as bonding and loans) and pay debt service; and

**WHEREAS**, since the passage of the referendum, the Township has expended approximately \$7,900,000.00 for the acquisition of property and debt service; and

**WHEREAS**, since the passage of the referendum, the Township incurred debt in the form of bonding with \$5,299,607.35 (principal and interest) presently due at maturity after the 2013 debt service payment is made; and

**WHEREAS**, since the passage of the referendum, the Township incurred debt in the form of Green Trust/Green Acres loans and/or grants with \$1,429,012.91 (principal and interest) presently due at maturity after the 2013 debt service payment is made; and

**WHEREAS**, the total (principal and interest due) of all indebtedness (bonding and loans/grants) authorized since the passage for the referendum, and presently due at maturity is \$6,728,620.26 after the 2013 debt service payment is made; and

**WHEREAS**, the unaudited balance in the Trust Fund as of December 31, 2012 is \$4,543,313.75 and the anticipated Open Space Tax Levy for 2013 would yield approximately \$699,788.68 for a total 2013 Open Space Trust Fund balance of \$5,243,102.43, minus the total amount of indebtedness presently due at maturity of \$6,728,620.26, would leave a deficit of \$1,485,517.83 in the Open Space Trust Fund for the payment of debt service and therefore no moneys for property acquisition; and

**WHEREAS**, presently \$685,172.00 is allocated in the proposed 2013 Municipal Budget to pay outstanding debt service (principal and interest) which would reduce the outstanding debt service, the 2013 balance in the Open Space Trust Fund and would net a deficit of \$2,170,689.83 in the Open Space Trust Fund at the end of 2013; and

**WHEREAS**, the Township Council now wishes to revise the existing Township Code to first require the payment of all debt service from the Municipal Open Space Preservation Trust Fund before moneys can be expended for acquisition to avoid a deficit in the Trust Fund which would need to be paid through the general fund and/or additional financing.

**BE IT ORDAINED**, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter V, Revenue and Finance is hereby amended as follows:

**SECTION I.** Chapter V, Revenue and Finance is hereby amended and supplemented as follows:

5-4 MUNICIPAL OPEN SPACE PRESERVATION TRUST FUND.

5-4.4 Expenditures From the Fund.

The moneys accumulated within the fund shall be utilized for the purposes described in subsection 5-4.2, ~~including the acquisition of lands.~~ The primary use of the moneys shall be the payment of any and all cumulative debt service incurred and presently due at maturity for the acquisition of property as authorized in subsection 5-4.2, the secondary use of the moneys shall be for the acquisition of property. No moneys shall be expended for the acquisition of property as authorized in subsection 5-4.2 until there are sufficient moneys in the Fund to cover any and all cumulative debt service presently due at maturity. In connection with such acquisition, the fund may be utilized for appraisals, and other items of expense permitted by law in connection with the acquisition, or as a down payment for the debt service. In no eventuality shall the Township pay more than fair market value for the land to be acquired.

**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:** An Ordinance revising the Township Code Sections regarding the licensing and operation of taxicabs.

**EDISON TOWNSHIP**

**ORDINANCE O.1836-2013**

**WHEREAS**, the Township Council wishes to amend existing Township Code Sections regarding the licensing and operation of taxicabs.

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

**SECTION I.** Chapter XI General Licensing and Business Regulations, shall be amended as follows:

11-30 TAXICABS.

11-30.1 Definitions.

As used in this section:

Cruising means the driving of an empty taxicab to and fro along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

Driver shall mean any person who drives or otherwise operates a Taxicab within Edison Township.

Owner shall mean any person, corporation or association in whose name title to any Taxicab is registered with the New Jersey Division of Motor Vehicles, or who appears in such records to be the conditional vendee or lessee thereof.

Persons means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever, and the singular or plural and the masculine, feminine or neuter thereof, unless the contrary is clearly expressed.

Principal place of business means, in reference to Edison Township, the location of the main place of business of the taxicab service in Edison Township where taxicab service is conducted, where taxicabs are dispatched, or where taxicab drivers report for duty.

Public taxicab stand means a section of a public street or public place set apart for the exclusive use of a limited number of taxicabs, when such section is distinctly marked as such by a metal sign attached to a stanchion on the curb or other conspicuous place or by clearly visible marks upon the surface of the street or public place.

Street shall be defined as provided for by N.J.S.A. 48:16-1, being: includes any street, avenue, park, parkway, highway or other public place.

Taxicab shall be defined as provided for by N.J.S.A. 48:16-1, being: any automobile or motor car, commonly called taxi, engaged in the business of carrying passengers for hire which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of this state, and particularly accepts and discharges such persons as may offer themselves for transportation from points or places to points or places within or without the state. Additionally, the terms "taxi" "cab" or "taxicab" shall be understood to be a taxicab as defined herein.

Taxi meter, if so used by a Taxicab Owner or required herein, means a mechanical instrument or device by which the charge for hire is mechanically calculated either for the distance traveled, for waiting time, or both, and upon which such charge shall be plainly indicated by means of figures.

#### 11-30.2 Administering and Enforcing Agencies.

a. General Jurisdiction and Responsibility of the Chief of Police. The Chief of Police or a designee shall have jurisdiction and responsibility for:

1. Conducting examinations of taxicabs; taxicab inspection certification and/or vehicles inspection reports issued by the New Jersey Motor Vehicle Commission;
2. Examination and approval or rejection of applications for both taxicab and operator license;
3. Acting as Enforcement Agent under the provisions of this section.
4. Taking of fingerprints of any applicant (owner or operator) and conducting background investigations as to the applicant's fitness for the issuance of any license hereunder.

b. General Jurisdiction and Responsibility of Township Clerk. The Township Clerk or designee in the Clerk's Office, shall have jurisdiction and responsibility for the issuance of licenses, the collection of fees, and certification of insurance compliance. The Township Clerk shall issue such license after the Chief of Police has approved the issuance of the license and signed the license, after the satisfactory compliance by the applicant with the provisions of N.J.S.A. 48:16-1 et seq. and this Section, the payment of the aforesaid fee, the submission of a current certificate of insurance and a signed statement from the Township Zoning Officer certifying that the taxicab service is not operating in a residential zone and that the taxicab business has sufficient off-street parking for any and all taxicabs to be used in the business and for the issuance of a Taxicab Owner's License, approval by the Township Council as required by N.J.S.A. 48:16-2.

c. General Jurisdiction of Zoning Officer. The Zoning Officer shall have jurisdiction and responsibility of investigation and certification that the taxicab business is not operating in a residential zone and that the taxicab business has sufficient off-street parking for any and all taxicabs to be used in the business.

#### 11-30.3 Taxicab License Required.

a. No person shall operate any Taxicab within the Township unless both the owner of the Taxicab, the individual Taxicab and the driver thereof are licensed pursuant to this Section.

b. Nothing in this subsection or other subsections of this section shall be construed to require the licensing of any taxicab:

1. Operating from an office outside the Township which enters the Township and responds to a specific call by a patron within the Township;

or

2. Carrying persons from one (1) point outside the Township to any point within the Township.

#### 11-30.4 Applications for Licenses.

a. Applications for any form of license shall be made upon forms approved by the Chief of Police and to be furnished by the Clerk's Office and shall verify the correctness thereof by his/her oath or affirmation. He/she shall file the completed application with the Clerk together with the full amount of the proper fee hereinafter fixed

#### 11-30.5 Classes and Number of Licenses to be Issued.

There are hereby established the following classes of Taxicab licenses as follows:

a. Taxicab Driver's License. This license shall entitle the person named therein to operate within the Township any Taxicab duly licensed hereunder. There is no limit on the number of Taxicab drivers that will be licensed or limit of number of drivers per Taxicab business.

b. Taxicab Owner's License. This license shall entitle the owner of a Taxicab business therein described to be operated in the Township by a driver duly licensed hereunder and to operate the number of licensed Taxicabs permitted herein, provided that each Taxicab is licensed as provided herein. The holder of a Taxicab Owner's License shall be permitted to license up to the number of Taxicabs Vehicles as provided herein. The Township will issue up to twenty-five (25) Taxicab Owner's Licenses. No person or business shall hold or control more than one (1) Taxicab Owner's License. Any person who holds or controls any Taxicab Owner's License shall actively use the license, or the license shall be revoked.

c. Taxicab Vehicle License. This license shall entitle the holder of a Taxicab Owner's License therein described to operate the individual Taxicab therein described in the Township by a driver licensed hereunder. The license issued for an individual Taxicab is only for that specific Taxicab and shall not be transferred to another Taxicab. The Township will issue up to ten (10) Taxicab Vehicle Licenses to each holder of a Taxicab Owner's Licenses.

#### 11-30.6 Inspection of Taxicabs.

No vehicle covered by the terms of this section shall be approved for a license until inspection documentation issued by the Motor Vehicle Commission has been thoroughly and carefully inspected and examined by the Chief of Police or someone delegated by him or her to conduct such examination, and found to be in a thoroughly safe and sanitary condition and otherwise fit for the transportation of passengers. No tinting or obstructions shall be added to any windows of the taxicab vehicle that restricts the view of the interior of the vehicle, excluding such tinting or obstructions that are original manufacturer's installed equipment. Any vehicle found to be unsafe for the transportation of passengers shall not be licensed. The Chief of Police is authorized and empowered to establish reasonable rules and regulations for the inspection of taxicabs and their appurtenances and for the construction and condition of fitness for the safe and adequate transportation of passengers.

#### 11-30.7 Issuance of Licenses; Posting Required.

a. The Township Clerk, upon approval of a Taxicab Driver's License, Taxicab Owner's License or Taxicab Vehicle License, shall issue to the applicant a card approved by the Chief of Police. A card for a Taxicab Driver's License of Taxicab Owner's License shall bear the name of the applicant, and the official license number. A card for a Taxicab Vehicle License shall bear the official license number of the taxicab, date of inspection of the same, the information contained on the Taxicab Owner's License of the owner of the individual taxicab and a notice that in case of any complaint the Police Department shall be notified. All licenses shall at all times be and remains the property of the Township and on direction of the Chief of Police shall at once be surrendered to the Township Clerk.

b. The Taxicab Driver's License of the driver operating the taxicab and the Taxicab Vehicle License shall be at all times in full view of and plainly legible to any passenger seated on the rear seat of such Taxicab. No Taxicab

Driver's License card other than that of the driver actually operating the taxicab at the time shall be displayed therein. No Taxicab Vehicle License card other than that of the individual taxicab shall be displayed therein.

b. Pursuant to N.J.S.A. 48:16-2 the owner of a taxicab shall cause to be displayed on the body of the vehicle the Taxicab Vehicle License number issued to that vehicle by the Township. The number shall be three inches (3") in height and located in the center of the rear quarter panels on the driver and passenger sides and the rear center line of the trunk of the vehicle. Each Taxicab shall display on each rear door of the Taxicab the name of the municipality or municipalities which has issued the Taxicab a taxi license in letters three inches (3") in height.

#### 11-30.8 Posting of Taxicab Fares.

No licensed Taxicab shall be operated in the Township unless and until there is prominently displayed in the interior thereof, within the full view and access of any passengers, a complete list of fares, fees or rates charged for transportation of passengers ("fares"), which fares so displayed, and no other, shall be those to be charged any passenger. Said fare listing shall be submitted with the Owner's License application and any change in the fares during the year shall be filed with the Township before the new fares can be charged to passengers.

#### 11-30.9 Compliance with Statute Required; Insurance Requirements - Taxicabs.

Each applicant for a Taxicab Owner's License shall, together with his/her application, submit the insurance policy or certificate in lieu thereof, as required by N.J.S.A. 48:16-3; and shall provide any other documentation and/or information required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation. Said insurance shall remain in full force and effect at all times the Owner and/or Vehicle is licensed by the Township of Edison. A blanket bond or insurance policy as permitted by N.J.S.A. 48:16-4 may also be submitted. Additionally, the owner shall indemnify and hold harmless the Borough, its officers, agents or employees, from any and all loss, costs, damages and/or expenses suffered by any person or to any property arising from the owner's negligence.

#### 11-30.10 Power of Attorney for Taxicab Owners.

Each applicant for a Taxicab Owner's License shall, together with his/her application, submit the Power of Attorney required by N.J.S.A. 48:16-5 and to the Division of Motor Vehicles; and shall provide any other documentation and/or information required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation.

#### 11-30.11 Certificate of Compliance for Taxicab Operators.

The Township Clerk shall issue in duplicate a certificate of compliance upon the submission of the required insurance policy or bond showing that the owner of the taxicab has complied with the terms and provisions of N.J.S.A. 48:16-6. The certificate shall recite the name of the insurance company, the number and date of expiration of the policy or bond, a description of the taxicab insured and its registration number. The duplicate certificate shall be filed with the Motor Vehicle Commission before any car is licensed as a taxicab. The original certificate shall be posted in a conspicuous place within the taxicab.

#### 11-30.12 Register of Vehicles.

The Township Clerk shall keep a register of all Taxicab Driver Licenses, Taxicab Owner Licenses and Taxicab Vehicle Licenses together with the applications and approvals required herein.

#### 11-30.13 Continued Inspection of Taxicabs by Police.

The Police Department shall maintain due vigilance over all taxicabs and see that they are kept in a condition of safety and sanitation for the transportation of passengers, and to this end shall have the right, at any and all times, to inspect any and all such licensed vehicles and taxi meters and shall maintain a record in writing of the report of all such inspections.

#### 11-30.14 Revocation and Suspension of Licenses.

a. Licenses granted under the preceding subsections may be revoked at any time by the Chief of Police for not more than twenty (20) days, if the vehicle shall not be in a safe and sanitary condition for the transportation of passengers and kept in conformity with the terms of this section, or for the violation of any of the provisions of this section or any of the rules and regulations made by the Chief of Police.

b. Any licensee whose license is suspended pursuant to paragraph a. of this section shall be given a hearing before the Chief of Police during the twenty (20) day period of suspension upon at least five (5) days' notice in writing.

c. After the hearing, the Chief of Police shall determine whether the qualifications of the licensee have been so adversely affected as to require an extension of the suspension or a revocation of the license.

d. If the Chief of Police determines that further suspension or a revocation is not warranted, he shall reinstate the suspended license as soon as practicable.

#### 11-30.15 Taxicab Renewal: Continuation of Background Check Required.

a. The Chief of Police shall cause a background check to be completed in a manner consistent with N.J.S.A. 48:16-3 and this Section. The taking of fingerprints from an owner whose prints are already on file may not be required, as determined by the Chief of Police.

#### 11-30.16 License Required; Qualifications; Application; Additional Rules.

##### A. TAXICAB DRIVER'S LICENSE.

a. No person shall drive a taxicab until he or she shall have made application, upon a form provided by the Township Clerk and approved by the Chief of Police, for a taxicab driver's license, paid the required fee and shall have procured such license from the Township Clerk. Every applicant for a license to drive a taxicab shall furnish satisfactory evidence that he or she has received a driver's license under the State Motor Vehicle Law. Each applicant for a driver's license under the terms of this section must conform to the following regulations:

1. Be of the age of twenty-one (21) years or over;
2. Present the certificate of a reputable physician showing that he or she has been examined within sixty (60) days, that he or she is of sound physique, with good eyesight and not subject to epilepsy, vertigo, heart trouble or any other infirmity of mind or body which might render him or her unfit for the safe operation of a taxicab;
3. Be able to read and write the English language and be a resident of the United States;
4. Not be addicted to the use of narcotics or intoxicating liquors;
5. Fill out upon such form to be provided by the Township Clerk a statement giving said applicant's full name, residence for the preceding five (5) years, age, color, height, weight, color of eyes and hair, place of birth, place of previous employment, whether married or single, whether the applicant has ever been convicted of a felony or misdemeanor, how long the applicant has been a licensed automobile driver of the State of New Jersey, whether his or her automobile driver's license has ever been suspended or revoked, and, if so, for what cause, whether the applicant has ever been licensed to operate a taxicab by anytoher municipalilty and if the same has ever been

suspended or revoked, and, if so, for what cause, and such other reasonable information as may be required. All applications herein shall be signed and sworn to by the applicant and filed with the Township Clerk.

b. At the time of filing his/her application, applicant shall be fingerprinted by the Township Police and said fingerprints shall be submitted to the Bureau of Identification, New Jersey State Police for a report of applicant's criminal record, if any. Any and all costs of this process shall be borne by the applicant.

c. At the time of filing his/her application, the Township Police shall obtain a Motor Vehicle Driver's Abstract. Any and all costs of this process shall be borne by the applicant.

d. Provide any other documentation and/or information required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation.

e. The Chief of Police is authorized and empowered to establish from time to time such additional rules and regulations, not inconsistent herewith, as may be necessary and reasonable, governing the issuance of any license provided for in this section.

#### B. TAXICAB OWNER'S LICENSE.

a. No person shall operate a taxicab business until he or she shall have made application, upon a form provided by the Township Clerk and approved by the Chief of Police, for a Taxicab Owner's License, paid the required fee and shall have procured such license from the Township Clerk. Each applicant for a license under the terms of this section must conform to the following regulations:

1. Be of the age of twenty-one (21) years or over;
2. Be able to read and write the English language and be a resident of the United States;
3. Not be addicted to the use of narcotics or intoxicating liquors;

4. Fill out upon such form to be provided by the Township Clerk a statement giving said applicant's full name, residence for the preceding five (5) years, age, color, height, weight, color of eyes and hair, place of birth, place of previous employment, whether married or single, whether the applicant has ever been convicted of a felony or misdemeanor, how long the applicant has been a licensed automobile driver of the State of New Jersey, whether his or her automobile driver's license has ever been revoked, and, if so, for what cause, the color scheme or name, monogram or insignia to be used on the vehicles to be used as taxicabs, the address from which the applicant intends to conduct the operation of the taxicab business sought to be licensed, and a complete schedule of hours and days of operation of the place of business, and such other reasonable information as may be required. All applications herein shall be signed and sworn to by the applicant and filed with the Township Clerk.

b. At the time of filing his/her application, applicant shall be fingerprinted by the Township Police and said fingerprints shall be submitted to the Bureau of Identification, New Jersey State Police for a report of applicant's criminal record, if any. Any and all costs of this process shall be borne by the applicant.

c. At the time of filing his/her application, the Township Police shall obtain a Motor Vehicle Driver's Abstract. Any and all costs of this process shall be borne by the applicant.

d. Provide any other documentation and/or information required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation.

e. The Chief of Police is authorized and empowered to establish from time to time such additional rules and regulations, not inconsistent herewith, as may be necessary and reasonable, governing the issuance of any license provided for in this section.

#### C. TAXICAB VEHICLE LICENSE.

a. No licensed Taxicab Owner shall operate a taxicab vehicle until he or she shall have made application, upon a form provided by the Township Clerk and approved by the Chief of Police, for a Taxicab Vehicle License, paid the required fee and shall have procured such license from the Township Clerk. Each applicant for a license under the terms of this section must conform to the following regulations:

1. Each vehicle must be properly registered with the State of New Jersey;
2. The title to each vehicle must in the name of the licensed Taxicab Owner requesting the individual vehicle to be licensed;
3. The licensed Taxicab Owner requesting the individual vehicle to be licensed shall not be in excess of the total number of vehicles permitted to be licensed under his Taxicab Owner's License as provided herein;
4. Fill out upon such form to be provided by the Township Clerk a statement giving said applicant's full name, Township Taxicab Owner's License, and such other reasonable information as may be required. All applications herein shall be signed and sworn to by the applicant and filed with the Township Clerk.

b. Provide any other documentation and/or information required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation.

c. The Chief of Police is authorized and empowered to establish from time to time such additional rules and regulations, not inconsistent herewith, as may be necessary and reasonable, governing the issuance of any license provided for in this section.

#### D. DENIAL, REVOCATION OR SUSPENSION OF LICENSES.

In addition to the provisions of Chapter XI of the general licensing chapter covering causes for which licenses may be revoked, the Township Council may in their discretion refuse to issue or renew, or may after notice and hearing revoke or suspend any license issued hereunder for any of the causes or reasons listed below.

a. License of any Class.

Any license of any class or renewal thereof may be denied, revoked or suspended if any applicant or licensee:

1. Has been convicted of a crime in this or any other jurisdiction.
2. Has been more than once convicted of being a disorderly person.
3. Has been found guilty of a violation of Title 39, "Motor Vehicles and Traffic Regulations" of the Revised Statutes of New Jersey.
4. Violates any provision of this Section or any Ordinance of the Township.
5. Has any judgment unsatisfied of record against him or her arising out of an automobile accident in any place, or arising out of the operation of a Taxicab in the Township of Edison or any other place.
6. Failed or fails to render reasonably prompt, safe and adequate Taxicab service.
7. Has not complied fully with all requirements of this Section.
8. Any misrepresentation of any material fact made or disclosed in the application shall be cause for refusal to issue the license and/or revocation of the license and/or the imposition of the Penalty provided for in this Section.
9. Any other basis provided for in Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation.

b. Taxicab Driver's License.

Any Taxicab driver's license may be denied, revoked or suspended, in addition to the above causes for any of the following reasons:

1. If the licensee or applicant has in any degree contributed to any injury to person or damage to property, arising out of negligent operation of a motor vehicle or a Taxicab in the Township of Edison or any other place.
2. Has any communicable or contagious disease.

c. Taxicab Owner's License.

Any Taxicab Owner's License may be denied, revoked or suspended, in addition to the above causes, for any of the following reasons:

1. If the policy of insurance required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation, or as required herein has once lapsed or such coverage is not maintained at all times.
2. If the Owner is a corporation or other business entity required to be authorized to do business under the laws of the state and is not so authorized. No license shall be granted to operate a taxicab business to any person or to any partnership or corporation who is not, or the members or officers of which, are not persons of good moral character.

d. Taxicab Vehicle License.

Any Taxicab Owner's License may be denied, revoked or suspended, in addition to the above causes, for any of the following reasons:

1. If the motor vehicle licensed or to be licensed, by reason of unsafe or unsanitary conditions, is dangerous to the safety or health of the occupants or others.
2. If the policy of insurance required by Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey or similar law, rule or regulation, or as required herein has once lapsed or such coverage is not maintained at all times.

E. APPEAL OF DENIAL, REVOCATION OR SUSPENSION OF LICENSES.

a. Any person, corporation, partnership or other entity aggrieved by the denial, revocation or suspension of a license under this Section may appeal such denial to the Township Council.

b. Any appeal hereunder shall be filed in writing and served on the Township Clerk within ten (10) days of the license denial, revocation or suspension, and if revocation or suspension was made by the Chief of Police pursuant to Section 11-30.14, the appeal shall be made within ten (10) days after the hearing before the Chief of Police and his/her decision as provided for in Section 11-30.14,

c. At the time such appeal is filed, the appellant shall pay to the Township Clerk a nonrefundable fee of one hundred seventy-five dollars (\$175.00) and a written statement of the basis for the appeal.

d. Any such appeal will be scheduled for hearing within thirty (30) days of the filing of the appeal, provided, however, that the appeal may be adjourned or continued by the Township Council for good reason.

a. Upon satisfactory compliance with the above section, and approval by the Chief of Police and Resolution of the Township Council there may be issued by the Township Clerk to the applicant the requested license which shall contain a photograph and signature of the licensee. Any license so issued may be suspended upon recommendation of the Chief of Director, for the cause of the violation of this section or the regulations made thereunder or any applicable law, rule or regulation. A suspended driver or owner may request a hearing before the Township Council to appeal said suspension.

b. The term of each class of license shall be as follows:

1. A Taxicab Driver's License shall be issued as of the date of approval and shall expire at midnight on December 31 of the year in which it was issued, and shall not be transferable.

2. A Taxicab Owner's License shall be issued as of the date of approval and shall expire at midnight on December 31 of the year in which it was issued, and may be transferable to a related business entity, such as in the case of a change in the form of a business entity or the purchaser or sale of all or part of a business entity, provided that the new owner complies with Section 11-30.16 regarding applications and Section 11-30.20 regarding fees.

3. A Taxicab Vehicle License shall be issued as of the date of approval and shall expire at midnight on December 31 of the year in which it was issued, and may be transferable to a related business entity, such as in the case of a change in the form of a business entity or the purchaser or sale of all or part of a business entity, provided that the new owner complies with Section 11-30.16 regarding applications and Section 11-30.20 regarding fees.

#### 11-30.18 Change of Address - Loss of Records - Taxicabs.

Any change of address of any owner or driver licensed under the provision of this chapter must be reported in writing, to the Division of Police within seventy-two (72) hours of such change. The loss of operator license or taxicab license must be reported to the Division of Police within twenty-four (24) hours of such loss. In the event any licensed driver terminates his or her employment as a driver or ends employment with one Edison based company and joins another Edison Township based company, he or she shall return the original license and any other paper or document in his or her possession furnished to him or her by the Division of Police within seventy-two (72) hours of such termination.

#### 11-30.19 Renewal of Licenses.

a. When applying for the renewal of any license required by this Section, the holder of such license shall make such application upon a form to be furnished by the Township Clerk. The Chief of Police shall cause a background check to be completed in a manner consistent with law. The taking of fingerprints from a driver whose prints are already on file may not be required.

b. Applications for any license renewal shall be filed with the Township Clerk no sooner than November 1 and no later than December 1 of the year proceeding the year for which application is being made. All applications for renewals shall be acted upon prior to any consideration being given to new applications, which shall be considered in the order of their filing with the Township Clerk on a first come/first served basis received after it is determined that there is a license of any class available, except for Taxi Owner's Licenses which is available shall be issues as provided for in Section 11-30.20.d. Any existing License for which an application for renewal is not made by December 1 shall be deemed forfeited and shall be available to a new applicant, and any application for renewal received after December 1 of any year shall be treated as an application for a new license.

#### 11-30.20 Fees for Licenses.

a. The sum of one hundred dollars (\$100.00) shall be charged for the issuance of each Taxicab Driver's License or the renewal thereof.

b. The sum of one hundred fifty (\$150.00) dollars shall be charged for the issuance of each Taxicab Vehicle License or the renewal thereof.

c. The sum of one hundred fifty (\$150.00) dollars shall be charged for the issuance of each Taxicab Owner License or the renewal thereof.

d. Taxicab Owner's Licenses shall be auctioned as provide for by P.L. 2011 c. 135 presently codified in N.J.S.A. 48:16-2.1 through N.J.S.A. 48:16-2.3, as follows:

1. Whenever the Township Council determines to authorize the issuance of one or more new or additional Taxicab Owner's License(s), or should one of the 21 Taxicab Owner's License(s) authorized by Section 11-30.5.b, be revoked not renewed or retired by the owner, the Township Council shall publish a notice, in a newspaper circulating generally within the Township, stating the number of new or additional licenses to be authorized and the application period for the new or additional licenses. The notice shall specify a time and date after which no further applications will be accepted. The notice shall be published at least twice and at least one week apart, with the second notice published at least 30 days prior to the time and date specified in the notice as the time and date after which no further applications will be accepted. The notice shall state the minimum bid for each Taxicab Owner's License and that the Township reserves the right to reject all bids where the minimum bid is not made.

2. If a notice has been published pursuant to Section 11-30.20.c.1 it shall not be construed to require the issuance of any license(s), but if no such license(s) has been issued within six months after the closing time and date for acceptance of applications specified in the notice, no such license or licenses shall be issued without again complying with the provisions of Section 11-30.20.c.1.

3. Prior to the public auction each person or business which has filed an application shall have been investigated and approved by the Chief of Police in accordance with this Section for Taxicab Owner's Licenses to be eligible to bid.

4. The public auction shall be supervised by the Township Clerk and may be conducted by the Township Clerk or designee. Each license shall be awarded to the highest qualified bidder by public auction at the public auction. At the public auction upon award of the license to the highest bidder, the highest bidder shall remit the minimum bid as set forth in the notice in the form of a certified check or cash and shall remit any difference between the minimum bid and the accepted bid in the form of cash or check at the time of award. Failure to remit the accepted bid amount as described shall result in the immediate rejection of the bid and the Clerk shall accept the next highest bid and so forth until a qualified bidder complies, if no bidder remain the so affected license(s) shall not be re-auctioned until it is re-noticed as provided for in Section 11-30.20.c.1.

d. The cost for a lost or destroyed license of any class shall be twenty-five dollars (\$25.00).

#### 11-30.21 Fares Not to Exceed Fixed Rates.

a. The holder of every Taxicab Owner's License shall file a schedule of rates with the Township Clerk's Office. The prices that may be charged by the owners or drivers of taxicabs for the transportation of passengers for hire, shall not exceed the rates filed with the Township Clerk and approved by the Chief of Police and may not be changed or modified without written approval from him or her.

b. All prices charged shall be subject to a twenty-five (25%) percent discount for persons over the age of sixty-two (62).

#### 11-30.22 Changes of Ownership to Revoke Licenses.

Changes in ownership or title to any taxicab business or Taxicab Vehicle licensed under this section shall automatically revoke the license for such Taxicab Owner's License or Taxicab Vehicle License. The purchaser of

such Taxicab business and/or vehicle(s) must apply for a license authorizing the operation of the business and/or vehicle as heretofore set forth.

#### 11-30.23 Rules of Conduct for Licensees - Taxicabs.

a. No person other than the licensed driver of the taxicab shall drive or sit in the compartment of the taxicab reserved for the driver, nor shall the driver engage in cruising as defined in subsection 11-30.1; nor shall any driver or owner invite or permit loitering within or near his or her taxicab, nor solicit, drive or divert prospective patrons of any business establishment to any other similar establishment.

b. Smoking shall not be permitted in any taxicab without the permission of the passenger.

c. No operator of any Taxicab, whether licensed or not by the Township of Edison, shall use a horn, siren, whistle, bell or other device capable of emitting audible sound in order to pick-up customers, or hawk, sell or otherwise advertise their services.

d. All taxicab drivers, when operating their taxicabs, shall be clean and neat of dress.

e. Every taxicab driver shall, upon the completion of each and every trip, make a search of the taxicab for any property lost or inadvertently left therein and any such property, unless sooner claimed by or delivered to the rightful owner, shall be taken to the Police Division within six (6) hours of the finding thereof.

f. All taxicab drivers shall comply with all reasonable and lawful requests of passengers as to speed and the route to be taken. Where such requests are not made by the passenger, such driver shall use lawful and reasonable speed and the most expeditious route to be taken to such passenger's destination.

g. No driver of any taxicab shall induce any prospective passenger to employ him by misinforming or misleading any such prospective passenger, either as to time or place of the arrival or departure of any train or motor bus or as to the location of any building or place or as to the distance between any two (2) points.

h. Any motor vehicle accident involving a taxicab and causing injury to a person or persons or damage to property in excess of one hundred (\$100.00) dollars shall be reported immediately by the driver to the Police Department, and the taxicab shall not be moved until released by the police, except in an emergency where there is immediate danger to life or limb.

i. No owner or driver of any licensed taxicab shall permit the use of such taxicab for any illegal or immoral purpose

j. All persons engaged in the taxicab business in the Township, operating under the provisions of this chapter, shall render an overall service to the public desiring to use taxicabs.

k. Holders of Taxicab Owner's Licenses shall maintain a central place of business which shall be kept open for the purpose of receiving calls and dispatching cabs for at least the minimum hours stipulated on the taxicab license.

l. All taxicab licensees or their representatives shall answer all calls received for taxicab service inside the Township limits as soon as they can do so. If such services cannot be rendered within a reasonable time, they shall then notify the prospective passenger as to how long it will be before the call can be answered and give the reason therefor.

m. Any licensee under this chapter or his representative who shall refuse to accept a call for taxicab service anywhere within the Township limits at any time when such licensee has a taxicab available or who shall fail or refuse to give overall service shall be deemed a violator of this chapter.

n. Taxicab licensees shall not refuse service to any individual based upon the individual's race, creed, color, national origin, ancestry or sex.

o. No driver shall permit any other person to occupy or ride in the taxicab unless the person or persons first employing a taxicab shall consent to the acceptance of an additional passenger or passengers.

p. The number of passengers permitted to be carried in any taxicab shall be in accordance with the particular vehicle manufacturer's passenger capacity specifications, and, the transportation of all passengers shall be in accordance with all applicable New Jersey State Statutes and regulations.

q. The driver of any taxicab shall, upon request of any passenger, render to such passenger a receipt for the fare charged. The receipt shall state the name of the driver, the taxicab license number, the amount of the fare, the points of origin and destination and the date and time of the transaction.

r. No taxicab shall be left unattended by the driver while the vehicle is standing at a designated taxicab stand. More particularly, the driver must remain in or within ten (10) feet of the vehicle while it is standing at a designated taxicab stand.

s. Record Keeping.

1. Recordkeeping by Owners.

i. The holder of each and every Taxicab Owner's License shall record in a book kept solely for such purpose the time of departure from and the time of return to the garage of each vehicle licensed under this Section, the name and an address of the driver thereof, the license number of the driver and the license number of the vehicle.

ii. The record book shall be kept open for inspection at all times by a duly authorized representative of the Police Department.

2. Recordkeeping by Drivers.

i. The holder of each and every Taxicab Driver's License shall keep a daily record upon which all trips shall be recorded. The daily record shall show the time and place of origin and destination of each trip and the amount of fare received for each trip. All such records shall be given to the holder of the taxicab license and shall be retained for two (2) years by such holder. The holder of the taxicab license shall be responsible for the maintenance of daily records of all taxicabs operated by him. Such daily record shall be kept in the taxicab vehicle during daily operations.

ii. The record book shall be kept open for inspection at all times by a duly authorized representative of the Police Department.

t. All Taxicab Drivers and Owners shall comply with Title 48 Public Utilities, Chapter 16 Taxicabs, Autocabs, Limousines and Jitneys of the Statutes of New Jersey, and Title 39 Motor Vehicles and Traffic Regulation of the Statutes of New Jersey or similar law, rule or regulation.

11-30.24 Refusal to Pay Fare Prohibited.

It is unlawful for a passenger or bailee of any vehicle referred to herein to refuse or fail to pay his or her fare.

11-30.25 Confusing Vehicle Color Schemes or Names Prohibited - Taxicabs.

No vehicle covered by the terms of this section shall be licensed whose color scheme, or name, monogram or insignia to be used thereon, shall be in conflict with or, in the opinion of the Director of Police, imitate any color scheme, monogram, name or insignia, used by any other person, firm or corporation operating a taxicab or taxicabs,

in such manner as to be misleading or tend to deceive or defraud the public. Each vehicle covered by the terms of this section shall display on the outside of that vehicle the name of the license holder, its municipality and telephone number on the driver's side door. Every licensed Taxicab shall have painted on both sides thereof the words "taxicab," "taxi" or "cab" in letters at least six (6") inches high, or the name of the operating owner if it contains the words "taxi" or "cab" or "taxicab." Every licensed Taxicab shall have painted on each side thereof, in letters at least one (1") inch high, the name of the owner thereof followed or preceded by the word "owner."

11-30.26 Violations; Penalties.

a. Any person violating the provisions of this Section or permits, aids or abets shall the violation of the provisions of this Section, upon conviction thereof, be subject to a fine of:

1. Three hundred (\$300.00) dollars plus costs for a first offense.
2. Six hundred (\$600.00) dollars plus costs for a second offense.
3. Third and subsequent offenses shall require a Court appearance and shall be subject to a fine of at least twelve hundred (\$1,200.00) dollars plus costs.

b. For the purposes of Section 11-30.26, a person who has been convicted of a previous violation need not be charged as a second, third or subsequent offender in the complaint made against him in order to render him liable to the penalties imposed by this section on a second, third or subsequent offender, but if the second offense occurs more than two (2) years after the previous offense, the Court shall treat the second conviction as a first offense for sentencing purposes, and if a third offense occurs more than two (2) years after the second offense, the Court shall treat the third conviction as a second offense for sentencing purposes, and if an offense subsequent to the third offense occurs more than two (2) years after the third offense, the Court shall treat the offense subsequent to the third offense as a third offense for sentencing purposes and so on for additional subsequent offenses.

c. In addition to the penalty provided above, any Taxicab Driver's License, Taxicab Owner's License, or Taxicab Vehicle License may be suspended or revoked as provided in this Section.

d. The provisions of this Section shall be enforced by the Division of Police and/or a Traffic Enforcement Officer.

**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) and publication according to law.

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

**RESOLUTION R.233-052013**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 2, 2013

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted  
to the Township Council a Report of Disbursements made through May 2, 2013

FUND	AMOUNT
Current	\$12,909,868.60
Affordable Housing	3,985.82
Capital	21,949.22
Cash Performance	0.00
CDBG	63,303.81
Developers Escrow	6,624.00
Dog (Animal Control)	1,624.00
Federal Forfeited	4,414.95
Grant Funds	180,077.00
Law Enforcement	0.00
Open Space	42,000.00
Payroll Deductions	448,046.44
Sanitation Fund	143,379.87
Sewer Utility	2,442,658.43
Tax Sale Redemption	213,542.76
Tree Fund	0.00
Tree Planting	0.00
Trust	108,794.33
 TOTAL	 \$16,590,269.23

/s/ Janice Saponaro  
Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township  
of Edison, that the above-referenced disbursements report is hereby approved.

**RESOLUTION R.234-052013**

**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 \$106,788.96.

May 8, 2013

**RESOLUTION R.236-052013**  
**Authorizing Overpayment Refund caused**  
**by Successful Tax Court Appeal with Freeze Act provision**

**WHEREAS**, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.470-072012**:

TAXPAYER	<b>NAKHRE, PUSHKAR</b>
PROPERTY LOCATION	<b>971 Grove Avenue</b>
BLOCK / LOT / QUALIFIER	<b>427 / 59</b>
DOCKET NUMBER:	<b>012354-2011</b>
TAX YEAR	<b>2011</b>

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

**WHEREAS**, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$1,277.18** and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,277.18**.

May 8, 2013

**RESOLUTION R.235-052013**  
**Authorizing Overpayment Refund caused by**  
**Successful Tax Court Appeal with Freeze Act provision**

**WHEREAS**, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.474-072012**:

TAXPAYER	<b>PRASAD, SAKET</b>
PROPERTY LOCATION	<b>9 RENEE CT</b>
BLOCK / LOT / QUALIFIER	<b>557.E / 23.01</b>
DOCKET NUMBER:	<b>012445-2011</b>
TAX YEAR	<b>2011</b>

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

**WHEREAS**, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$3,057.08** and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$3,057.08**.

May 8, 2013

**RESOLUTION R.237-052013**  
**Authorizing Overpayment Refund caused by**  
**Successful Tax Court Appeal with Freeze Act provision**

**WHEREAS**, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.466-072012**:

TAXPAYER	<b>JESDANUN, ADISAK</b>
PROPERTY LOCATION	<b>6 WOODRUFF RD</b>
BLOCK / LOT / QUALIFIER	<b>558 / 57</b>
DOCKET NUMBER:	<b>012444-2011</b>
TAX YEAR	<b>2011</b>

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

**WHEREAS**, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$1,381.35** and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,381.35**.

May 8, 2013

**RESOLUTION R.238-052013**

**Authorizing a tax exemption/refund for a disabled veteran for 68 MELBOURNE ST**

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

**WHEREAS, FRANK RICE** is a veteran who has been determined to have suffered a 100% service-related disability; and

**WHEREAS**, the determination of said disability is retroactive to **January 1<sup>st</sup> 2012**; and

**WHEREAS**, real estate taxes on this property known as Block **357 Lot 21.A, 68 MELBOURNE ST**, have been billed for **2012** and preliminary **2013**; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

**WHEREAS**, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

**WHEREAS**, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **January 1<sup>st</sup> 2012** to **May 1<sup>st</sup> 2013**; and

**NOW, THEREFOR, BE IT RESOLVED** by the Township Council of the Township of Edison that property taxes due on Block **357 Lot 21.A**, assessed to **FRANK RICE**, be cancelled for the **all** quarters of **2012**, and **1<sup>st</sup>** and **2<sup>nd</sup>** quarter of **2013** and also refunded for the municipal property taxes already paid for the time period of **January 1<sup>st</sup> 2013** thru **May 1<sup>st</sup> 2013** in the amount of **\$1,774.84** and for the property taxes paid in prior year from **January 1<sup>st</sup> 2012** to **December 31<sup>st</sup> 2012** in the amount of **\$7,065.76**; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer of the Township of Edison draw a check to the order of **FRANK RICE** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$8,840.60**.

May 8, 2013

**CERTIFICATION OF FUNDS**

I hereby certify that funds in the amount of **\$8,840.60** are available in Account No. \_\_\_\_\_

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

**RESOLUTION R.239-052013**

**Authorizing a tax exemption/refund for a disabled veteran for 53 HILLSDALE RD**

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

**WHEREAS, JOHN WELGOS** is a veteran who has been determined to have suffered a 100% service-related disability; and

**WHEREAS**, the determination of said disability is retroactive to **January 1, 2012**; and

**WHEREAS**, real estate taxes on this property known as Block **556.J Lot 19, 53 HILLSDALE RD**, have been billed for **2012**, and preliminary **2013**; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

**WHEREAS**, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

**WHEREAS**, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **January 1<sup>st</sup>, 2012** to **December 31<sup>st</sup>, 2012**; and

**NOW, THEREFOR, BE IT RESOLVED** by the Township Council of the Township of Edison that property taxes due on Block **556.J Lot 19**, assessed to **JOHN WELGOS**, be cancelled for the all quarters of **2012**, and for 1<sup>st</sup> and 2<sup>nd</sup> quarters of **2013** and also refunded for the municipal property taxes already paid for the time period of **January 1<sup>st</sup>, 2012** thru **December 31<sup>st</sup>, 2012** in the amount of **\$14,830.78**; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer of the Township of Edison draw a check to the order of **JOHN WELGOS** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$14,830.78**.

**May 8, 2013**

**CERTIFICATION OF FUNDS**

I hereby certify that funds in the amount of **\$14,830.78** are available in Account No. \_\_\_\_\_

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

**RESOLUTION R.240-052013**

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2013**

**WHEREAS**, the Local Budget Law (N.J.S.A. 40A:4-20), directs that the Governing Body of a municipality may adopt an Emergency Temporary Resolution after the adoption of Temporary Appropriations but before the adoption of the annual budget to authorize additional appropriations; and

**WHEREAS**, the initial temporary appropriations were adopted on December 26, 2012 and ;

**WHEREAS**, the temporary appropriations on the annexed spread sheet are calculated the rate of 1/12<sup>th</sup> the corresponding 2012 .

**NOW, THEREFORE, IT IS RESOLVED** by the **COUNCIL OF THE TOWNSHIP OF EDISON**, in the County of Middlesex, New Jersey that the foregoing emergency temporary appropriations above are hereby approved and the proper Township Officials are authorized to process these accordingly.

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$172,500.00as follows:

FIRE	3-01-28-0265-001-016	S&W	\$ 85,000.00
ENGINEERING	3-01-20-0165-000-016	S&W	\$ 25,000.00
ASSESSORS	3-01-20-0150-000-016	S&W	\$ 10,000.00
FINANCE	3-01-20-0130-001-016	S&W	\$ 5,000.00
ACCOUNTS AND CONT	3-01-20-0130-002-016	S&W	\$ 5,000.00
LEGAL	3-01-20-0155-001-011	S&W	\$ 4,000.00
LEGAL	3-01-20-0155-001-020	S&W	\$ 10,000.00
PERSONNEL	3-01-20-0105-000-011	S&W	\$ 10,000.00
COMMUNICATION	3-01-20-0100-006-011	S&W	\$ 8,000.00
COUNCIL	3-01-20-0110-001-011	S&W	\$ 3,000.00
MAYOR	3-01-20-0110-002-011	S&W	\$ 1,500.00
PLANNING	3-01-21-0180-001-028	S&W	\$ 6,000.00

EXPLANATION: A Resolution reappointing Gary M. Price, Esq. as Chief Municipal Court Judge for the Township of Edison.

**EDISON TOWNSHIP**

**RESOLUTION R.241-052013**

**WHEREAS**, Gary M. Price, Esq. presently serves as Chief Municipal Court Judge for the Township of Edison; and

**WHEREAS**, Mayor Ricigliano by letter of April 30, 2013 has reappointed Gary M. Price, Esq. as Chief Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

**WHEREAS**, the Township Council wishes to consent to this appointment.

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

1. Gary M. Price, Esq. is hereby reappointed as Chief Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

EXPLANATION: A Resolution reappointing Parag P. Patel, Esq. as a Municipal Court Judge for the Township of Edison.

**EDISON TOWNSHIP**

**RESOLUTION R.242-052013**

**WHEREAS**, Parag P. Patel, Esq. presently serves as a Municipal Court Judge for the Township of Edison; and

**WHEREAS**, Mayor Ricigliano by letter of April 30, 2013 has reappointed Parag P. Patel, Esq. as a Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

**WHEREAS**, the Township Council wishes to consent to this appointment.

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

1. Parag P. Patel, Esq. is hereby appointed as a Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

EXPLANATION: A Resolution reappointing Mary H. Casey, Esq. as a Municipal Court Judge for the Township of Edison.

**EDISON TOWNSHIP**

**RESOLUTION R.243-052013**

**WHEREAS**, Mary H. Casey, Esq. presently serves as a Municipal Court Judge for the Township of Edison; and

**WHEREAS**, Mayor Ricigliano by letter of April 30, 2013 has reappointed Mary H. Casey, Esq. as a Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

**WHEREAS**, the Township Council wishes to consent to this appointment.

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

1. Mary H. Casey, Esq. is hereby appointed as a Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

EXPLANATION: A Resolution appointing Suzanne Cason-O'Neill to the Edison Township Library Board of Trustees.

**EDISON TOWNSHIP**

**RESOLUTION R.244-052013**

**WHEREAS**, Mayor Ricigliano by letter of April 29, 2013 has nominated Suzanne Cason-O'Neill to serve as a Trustee of the Edison Township Library Board of Trustees for a five (5) year term effective January 1, 2013 through December 31, 2017, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 40:54-9, 40:54-10 and Township Code Section 2-97.1; and

**WHEREAS**, the Township Council wishes to consent to this appointment.

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

1. Suzanne Cason-O'Neill is hereby appointed to serve as a Trustee on the Edison Township Library Board of Trustees.
2. This appointment shall be for a five (5) year term effective January 1, 2013 through December 31, 2017.

**RESOLUTION R.245-0520413**

**RESOLUTION OF NEED FROM THE TOWNSHIP OF EDISON  
KILMER HOMES URBAN RENEWAL I, LP  
KILMER HOMES I HOUSING DEVELOPMENT**

WHEREAS, Kilmer Homes Urban Renewal I, LP (hereinafter referred to as the “Sponsor”) proposes to construct 60 units of affordable housing for families with low incomes (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Edison (hereinafter referred to as the “Municipality”) on a site described as Block 3-E, Lot 3.015 as shown on the Official Assessment Map of the Township of Edison, Middlesex County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison (the “Council”) that:

- (1) The Council finds and determines that Kilmer Homes I Housing Development, the 60-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council finds and determines that Kilmer Homes I Housing Development, the 60-unit family housing Project proposed by the Sponsor, meets all or part of the municipality's low and moderate income housing obligation;
- (3) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
, Mayor

\_\_\_\_\_  
, Township Clerk

**RESOLUTION R.246-052013**

**RESOLUTION OF NEED FROM THE TOWNSHIP OF EDISON  
KILMER HOMES URBAN RENEWAL II, LP  
KILMER HOMES II HOUSING DEVELOPMENT**

WHEREAS, Kilmer Homes Urban Renewal II, LP (hereinafter referred to as the “Sponsor”) proposes to construct 60 units of affordable housing for families with low incomes (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Edison (hereinafter referred to as the “Municipality”) on a site described as Block 3-E, Lot 3.016 as shown on the Official Assessment Map of the Township of Edison, Middlesex County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison (the “Council”) that:

- (1) The Council finds and determines that Kilmer Homes II Housing Development, the 60-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council finds and determines that Kilmer Homes II Housing Development, the 60-unit family housing Project proposed by the Sponsor, meets all or part of the municipality's low and moderate income housing obligation;
- (3) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
, Mayor

\_\_\_\_\_  
, Township Clerk

**RESOLUTION R.247-052013**

**RESOLUTION AUTHORIZING PAYMENT OF \$28,993.54 TO LIBRARIES OF MIDDLESEX FOR ASSESSMENT FOR THE TOWNSHIP LIBRARIES FOR THE PERIOD OF APRIL 1, 2013 – JUNE 30, 2013**

**WHEREAS**, The Edison Township Library Board of Trustees has authorized payment for assessment for the period of April 1, 2013 – June 30, 2013; and

**WHEREAS**, funds in the amount of \$13,747.08 have been certified to be available in the Free Public Library other Professional Services Account, Number 3-01-29-0390-000-028 and funds in the amount of \$15,246.46 have been certified to be available in the Reserve State Library Aid Account, Number T-01-55-0276-000-000.

**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 Libraries of Middlesex, 1030 St. Georges Ave., Suite 203, Avenel, NJ 07001-1327 in the amount of \$28,993.54.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$13,747.08** are available for the above in Account No. **3-01-29-0390-000-028** and **\$15,246.46** is available in Account No. **T-01-55-0276-000-000**.

---

Janice Saponaro  
Chief Financial Officer

---

Date

**RESOLUTION R.248-052013**

**RESOLUTION AUTHORIZING PAYMENT OF \$8,880.00 TO R.R. BOWKER, LLC FOR ELECTRONIC  
FORMAT SUBSCRIPTION RENEWAL (BOOKS IN PRINT) FOR THE TOWNSHIP LIBRARIES**

**WHEREAS**, The Edison Township Library Board of Trustees has authorized payment for Subscription Renewal (Books in Print) from September 1, 2013 through August 31, 2014; and

**WHEREAS**, funds in the amount of \$8,880.00 have been certified to be available in the Free Public Library Books & Publications Account, Number 3-01-29-0390-000-033.

**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 R.R. BOWKER, LLC, 16848 Collections Center Dr., Chicago, IL 60693-0168 in the amount of \$8,880.00.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$8,880.00** are available for the above in Account No. **3-01-29-0390-000-033**.

---

Janice Saponaro  
Chief Financial Officer

---

Date

**EXPLANATION:** This resolution provides for the refund of the unused portion of Developer Escrow Fees posted by NHCA Homes for Planning Board Application No. P-5146.

**TOWNSHIP OF EDISON**  
**RESOLUTION R.249-052013**

**WHEREAS,** the Township Planning Board Secretary advises that Developer Escrow Fees were posted by NHCA Homes for a project located at 9 Campbell Avenue, NJ 08817, in Block 81 and Lots 39, 40, and 41, and under Application No. P-5146; and

**WHEREAS,** the applicant was required to post Developer's Escrow Fees, pursuant to Township Ordinance; and

**WHEREAS,** on December 3, 2012, NHCA Homes posted fees on deposit with the Township of Edison in account # 7760296212 for Developers Escrow Fees; and

**WHEREAS,** the applicant has requested the return of the unused portion of Developers Escrow Fees posted, as provided by law; and

**WHEREAS,** it is now in order that the sum \$581.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to NHCA Homes;

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$581.25 plus accrued interest, if applicable, be refunded to NCHA Homes, 11 Drinking Brook Road, Monmouth Junction, NJ 08852;

**BE IF FURTHER RESOLVED** that the Director of Finance be and is hereby authorized and directed to refund the sum of \$581.25 plus accrued interest, if applicable, held in account #7760296212 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296212

**EXPLANATION:** This resolution provides for the refund of the unused portion of Developer Escrow Fees posted by Ultimate Collision for Zoning Board Application No. Z 05-2012.

**TOWNSHIP OF EDISON**  
**RESOLUTION R.2850-052013**

**WHEREAS,** The Township Planning Board Secretary advises that Developer Escrow Fees were posted by Ultimate Collision, for a project located at 1115 U.S Highway 1 South, Edison, NJ, in Block 201 and Lot 17, and under Application No. Z 05-2012; and

**WHEREAS,** the applicant was required to post Developer's Escrow Fees, pursuant to Township Ordinance; and

**WHEREAS,** on February 24, 2012, Ultimate Collision posted fees on deposit with the Township of Edison in the account # 7760296174 for Developers Escrow Fees; and

**WHEREAS,** the applicant has requested the return of the unused portion of Developers Escrow Fees posted, as provided by law; and

**WHEREAS,** it is now in order that the sum of \$289.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Ultimate Collision;

**NOW THEREFORE, BE IT RESOLVED** BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$289.00 plus accrued interest, if applicable, be refunded to Ultimate Collision, 1115 US Highway 1 South, Edison, NJ 08837;

**BE IF FURTHER RESOLVED** that the Director of Finance be and is hereby authorized and directed to refund the sum of \$289.00 plus accrued interest, if applicable, held in account #7760296174 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296174

**EXPLANATION:** This resolution provides for refund of construction permit fee, less the DCA fee, posted for a residential construction permit where inspection services were not performed.

**TOWNSHIP OF EDISON**  
**RESOLUTION R.251-052013**

**WHEREAS**, on January 7, 2013, a Construction (Building) Permit fee, check #9801, permit #2013-0113, was posted in the total amount of \$207.00 by the contractor, A.J. Perri, Inc., having offices at 1138 Pine Brook Road, Tinton Falls, NJ 07724; and

**WHEREAS**, the application was submitted to replace boiler and chimney liner at 5 Bonn Court for the homeowner; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the contract was cancelled; and

**WHEREAS**, it is therefore appropriate that the municipal permit fee in the amount of \$185.00, derived from the \$207.00 total construction permit fee less the \$22.00 DCA fee for permit #2013-0113, be refunded to the contractor, A.J. Perri, Inc.; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2013-0113, in the amount of \$185.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$185.00 on construction permit fees posted by A.J. Perri, Inc. for 5 Bonn Court be refunded to the contractor;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$185.00 from the Refund of Revenue Fund to the contractor, A.J. Perri, Inc., 1138 Pine Brook Road, Tinton Falls, NJ 07724

JAM/ca

G-Code-Refund of Revenue-5 Bonn Court

**EXPLANATION:** Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase I.

**TOWNSHIP OF EDISON**

**RESOLUTION R.252-052013**

**WHEREAS**, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase I improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

**WHEREAS**, a Cash Performance Bond Check #005738 was posted on March 23, 2009 by KIF Property Trust in the amount of \$102,600.09 on deposit in Account #7760013374; and

**WHEREAS, a Cash Performance Bond Reduction was posted on July 1, 2010, Resolution #492-082010 reducing the Cash Performance Bond to \$30,780.02; and**

**WHEREAS**, a Performance Bond # B0463470 of International Fidelity Insurance Company was posted on March 23, 2009 by KTR Edison, LLC in the amount of \$923,400.81; and

**WHEREAS, a Performance Bond Reduction was posted on July 1, 2010, Resolution #492-082010 reducing the Performance Bond to \$277,020.24; and**

**WHEREAS**, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$30,780.02 plus accrued interest, if applicable, on deposit in account #7760013374 principal being KIF Property Trust, having offices at Five Tower Road, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$277,020.24; 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 \$277,020.24, to the applicant; and**

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$30,780.02, plus accrued interest, if applicable, on deposit in account #7760013374 to the applicant.**

S:Eng-Karen-RelCP&PBBondRedBal-KTR-3003WoodbridgeAve-PhaseI

**EXPLANATION:** Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase II.

**TOWNSHIP OF EDISON**

**RESOLUTION R.253-052013**

**WHEREAS**, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase II improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

**WHEREAS**, a Cash Performance Bond Check #007360 was posted on July 28, 2009 by KIF Property Trust in the amount of \$105,248.79 on deposit in Account #7760013390; and

**WHEREAS, a Cash Performance Bond Reduction was posted on July 1, 2010, Resolution #491-082010 reducing the Cash Performance Bond to \$31,574.63; and**

**WHEREAS**, a Performance Bond # B0463498 of International Fidelity Insurance Company was posted on July 28, 2009 by KTR Edison, LLC in the amount of \$947,239.11; and

**WHEREAS, a Performance Bond Reduction was posted on July 1, 2010, Resolution #491-082010 reducing the Performance Bond to \$284,171.73; and**

**WHEREAS**, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$31,574.63 plus accrued interest, if applicable, on deposit in account #7760013390 principal being KIF Property Trust, having offices at Five Tower Road, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$284,171.73; 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 \$284,171.73, to the applicant; and**

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$31,574.63, plus accrued interest, if applicable, on deposit in account #7760013390 to the applicant.**

S:Eng-Karen-RelCP&PBBondRedBal-KTR-3003WoodbridgeAve-PhaseII

**EXPLANATION:** Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase III.

**TOWNSHIP OF EDISON**

**RESOLUTION R.254-052013**

**WHEREAS**, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase III improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

**WHEREAS**, a Cash Performance Bond Check #007988 was posted on September 18, 2009 by KIF Property Trust in the amount of \$27,174.18 on deposit in Account #7760013392; and

**WHEREAS, a Cash Performance Bond Reduction was posted on July 7, 2010, Resolution #412--072010 reducing the Cash Performance Bond to \$8,152.25; and**

**WHEREAS**, a Performance Bond #B0513708 of International Fidelity Insurance Company was posted on September 18, 2009 by KTR Edison, LLC in the amount of \$244,567.62; and

**WHEREAS, a Performance Bond Reduction was posted on July 7, 2010, Resolution #412-072010 reducing the Performance Bond to \$73,370.28; and**

**WHEREAS**, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$8,152.25 plus accrued interest, if applicable, on deposit in account #7760013392 principal being KIF Property Trust, having offices at Five Tower Bridge, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$73,370.28; 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 \$73,370.28, to the applicant; and**

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$8,152.25, plus accrued interest, if applicable, on deposit in account #7760013392 to the applicant.**

**RESOLUTION R.255-052013**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HEWLETT PACKARD COMPANY FOR THE PURCHASE OF SEVEN COMPUTERS FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there is a need to purchase seven (7) computers for the Department of Public Works; and

**WHEREAS**, HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE 68154, has been awarded State Contract Number 70262 under M-0483/WSCA Computer Contract; and

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

**WHEREAS**, the total amount of the purchase shall not exceed \$5,096.00; and

**WHEREAS**, funds for this purchase have been certified to be available as follows:

\$ 728.00 - Account No. 3-01-26-0310-000-058-Building & Grounds Other Equip. & Supplies  
\$ 1,456.00- Account No. 3-01-28-0375-000-026-Parks & Trees Maintenance of Other Equipment  
\$ 1,456.00 - Account No. 3-07-55-0501-000-058-Sewers Other Equipment & Supplies  
\$ 1,456.00 - Account No. 3-09-55-0800-001-212-Operating-New Equipment

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,096.00 and any other necessary documents, with HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE 68154 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 70262 under M-0483/WSCA.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$5,096.00 are available as follows:

\$ 728.00 - Account No. 3-01-26-0310-000-058  
\$ 1,456.00- Account No. 3-01-28-0375-000-026  
\$ 1,456.00 - Account No. 3-07-55-0501-000-058  
\$ 1,456.00 - Account No. 3-09-55-0800-001-212

---

Janice A. Saponaro  
Chief Financial Officer

---

Date

**RESOLUTION R.256-052013**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE EMERGENCY PUMP STATION REPAIRS CONTRACT WITH NORTHEAST FLUID POWER CO. II, INC. IN AN AMOUNT NOT TO EXCEED \$118,814.72**

**WHEREAS**, NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081 was awarded Contract No. 13-01-05, EMERGENCY PUMP STATION REPAIRS on February 13, 2012 through Resolution R. 089-022013 effective February 26, 2013 in the amount of \$45,000.00; and

**WHEREAS**, the Township needs to rebuild four (4) JWC Model Channel Monsters over the course of 2013 at the price of \$29,703.68 each which was not included as part of the initial authorization amount; and

**WHEREAS**, the Township recommends authorization of the additional \$118,814.72 to this contract for a total contract amount of \$163,814.72; and

**WHEREAS**, the total amount of this additional amount, not to exceed \$118,814.72, 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 the Mayor, or her designee, is hereby authorized to execute a contract in the additional amount not to exceed \$118,814.72, and any other necessary documents, with NORTHEAST FLUID POWER CO. II, INC. for a total contract amount of \$163,814.72 as described herein.

RESOLUTION R. 257-052013

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
VINAYA KAMBLI FOR THE ABC PROGRAM**

**WHEREAS** Vinaya Kambli made payment in the amount of \$260.00 for the month of May 2013 for her child, Aakash Kambli's participation in the afternoon ABC Program at James Madison Intermediate Elementary School; and

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

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$260.00 to Vinaya Kambli, 4005 Cricket Circle., Edison, NJ 08820, which amount represents the overpayment for the ABC program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$260.00 are available in Account #3-01-55-0291-000-000.

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

\_\_\_\_\_  
Date

**RESOLUTION R.258-052013**

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT BASKETBALL TEAMS FOR ENDING THE SEASON IN GOOD STANDING**

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

**WHEREAS**, the ordinance further states that a “Good Standing Refund” in the amount of \$100.00 shall be made payable to each team finishing the season in good standing with the league, and

**WHEREAS**, fees in the amount of \$1,900.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

**WHEREAS**, the below listed adult basketball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>	<u>REFUND NAME</u>	<u>TEAM</u>
Chris Young	Phi Slamma Jamma	James Barnes	Big Shots
Mike Geist	R.O.C.	Michael Petz	The Under Dogs
Joseph Azydzik	Macnasties	Marc Rizzo	Run-N-Gunners
Joe Caiola	Main Event	Joseph Cohen	Knights
Randy Encarnacion	MT Ballers	Eileen Griffin	Knicks
Rodney Carter	Warriors	Abdul Tejan-Cole	Man Up
Christopher Johnson	Rock Boys	Khuynh Nguyen	Inman Barber Shop
Jared Nevens	Black Mambas	Albano Ferreira	Gumpers
Matthew LoPinto	Alcoballics	David Cousins	The Other Guys

**NOW, THEREFORE, IT IS RESOLVED** by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

**CERTIFICATION**

I hereby certify that funds in the amount of \$1,900.00 are available for the above teams in Account No.T-13-00-1000-000-048.

Officer

\_\_\_\_\_  
Janice Saponaro, Chief Financial

\_\_\_\_\_  
Date

**RESOLUTION R.259-052013**

**RESOLUTION AUTHORIZING THE PURCHASE OF TICKETS FROM DORNEY PARK AND WILDWATER KINGDOM**

**WHEREAS**, Edison Township Department of Recreation is desirous of acquiring discounted tickets for their 2013 summer playground programs; and

**WHEREAS**, DORNEY PARK AND WILDWATER KINGDOM, 3830 Dorney Park Road, Allentown, PA 18104 offers discounted tickets and a buffet lunch; and

**WHEREAS**, the Township wishes to purchase these for a summer playground trip in July; and

**WHEREAS**, the maximum amount for this purchase shall not exceed \$5,952.75; and

**WHEREAS**, funds for this purpose are available for the above purchase in the Recreation-Recreation Supplies Account, No. 3-01-28-0370-000-066.

**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 purchase tickets from DORNEY PARK AND WILDWATER KINGDOM, in an amount not to exceed \$5,952.75.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$5,952.75** are available for the above purchase in Account No. **3-01-28-0370-000-066**.

\_\_\_\_\_  
Janice A. Saponaro  
Chief Financial Officer

\_\_\_\_\_  
Date

**RESOLUTION R. 260-052013**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS**

**WHEREAS**, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department's 9-1-1 Communications Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

**WHEREAS**, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

**WHEREAS**, QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148, has submitted a proposal to provide such services for a one year term for the period of July 1, 2013 – June 30, 2014 at a cost of \$32,139.00; and

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

**WHEREAS**, funds in the amount of \$32,139.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 3-01-25-0250-000-026.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents in the amount of \$32,139.00, with QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148 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 under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$32,139.00** are available for the above contract in Account No. **3-01-25-0250-000-026**.

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

\_\_\_\_\_  
Date

