

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, May 23, 2011
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
 2. Roll Call.
 3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.
 4. **ORAL PETITIONS AND REMARKS**
 5. **APPROVAL OF MINUTES:**
 - a. Worksession Meeting of March 21, 2011
 - b. Regular Meeting of March 30, 2011
 - c. Worksession Meeting of April 11, 2011
 - d. Closed Session Meeting of May 9, 2011
 6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
 7. **POINTS OF LIGHT**
 8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of bid for Contract No. 11-03-29, Flat Roof Ballast Mounted PV Solar Electric System
 - b. Resolution authorizing additional monies for Contract No. 11-06-03, Medical Supplies
 - c. Award of bid for Contract No. 11-03-01, HVAC Maintenance and Repair for the Township Libraries
 - d. Award of contract for elevator recall service
 - e. Award of bid for Contract No. 11-02-24, Lettering for Emergency Vehicles
 9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 19, 2011
 - b. Resolution authorizing refund in the amount of \$109,009.41 for redemption of tax sale certificates.
 - c. Dedication by Rider for Self Insurance
 - d. Resolution authorizing refund of tax overpayments, totaling \$17,739.30
 - e. Resolution cancelling small balances
 - f. Resolutions to release escrow funds
 10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution authorizing participation in the State Local Cooperative Housing Inspection Program
 - b. 2011 Municipal Alliance Minigrant Program
 - c. Reimbursement of rental reoccupancy inspections fees
 - d. Reimbursement of Edison Light Transit Fees
 - e. Award of contract for professional veterinary services
- FROM THE DEPARTMENT OF LAW:**
- a. Ordinance authorizing the acquisition and or condemnation of properties located at the intersection of Woodbridge Avenue and Gurley/Trenton Road
 - b. Resolution declaring the former Revlon property as an area in need of redevelopment.
 - c. Resolution waiving fees for Memorial Post 3117

- d. Resolution authorizing bid of lease for property located at 25 Plainfield Avenue
 - e. Resolution authorizing Shared Service Agreement for Animal Control Services
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Tree Maintenance Bond Refund for Fox and Foxx Development, 49 Farmhaven Avenue, Permit #06-70
 - b. Tree Maintenance Bond Refund for Fox and Foxx Development, 48 Richard Road, Permit #08-96
 - c. Final payment for contract for Bikeway Connectivity Project Striping Improvements
 - d. Release of cash and performance bond for Rukh Real Estate, LLC, 180-184 Route 27, Application #P34-04/05
 - e. Resolution approving the 2011 Housing Opportunities for persons with AIDS formula program grant
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Award of non fair and open contract for the purchase of bioxide
14. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution awarding payment for Recreational Sports Leagues
15. **FROM THE CHIEF OF FIRE:**
- a. Approval of volunteer firefighter
16. **FROM THE PLANNING BOARD:**
- a. Recommendation on Ordinance O.1770-2011, Riparian Zone
17. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
18. **UNFINISHED BUSINESS:**
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION:
 O.1774-2011 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EDISON AMENDING SECTION 7-17 CHANGING THE LENGTH OF PARKING PERMITS

 O.1775-2011 AN ORDINANCE AMENDING SECTION 2-35 OF THE CODE OF THE TOWNSHIP OF EDISON ENTITLED DIVISIONS OF POLICE OR FIRE; DECREASE OF FORCE FOR REASONS OF ECONOMY
19. **COMMUNICATIONS:**
- a. Electronic Mail Message from Joseph Guchek regarding VFW Post 3117 – receive
 - b. Electronic Mail Message from Michele and Michael Fisher regarding the book mobile – receive
 - c. Electronic Mail Message from Rachel Callen regarding an emergency at RPRY Yeshiva – receive
 - d. Electronic Mail Message from Minesh Patel regarding missing speed hump on Roxy Avenue - receive
20. **DISCUSSION ITEMS:**
- Council President Diehl**
- a. Resolution of Recognition – Eagle Scout David Yurch
- Councilmember Gomez**
None
- Councilmember Karabinchak**

- a. Tax Appeals
- b. Resolution regarding Educational Funding
- c. Oak Tree and Woodland Intersection
- d. Gurley and Woodbridge Intersection
- e. Creation of a parking authority
- f. Expanding Edison TV
- g. Edison Tower
- h. Resolutions of Recognition – Professional Firefighter’s Association
Annual Valor Awards

Councilmember Lankey

None

Councilmember Mascola

None

Councilmember Perilstein

None

Councilmember Prasad

None

- 21. **CLOSED SESSION:**
 - a. Tax Appeal Settlements
- 22. **ADJOURNMENT**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FAI-GON ELECTRIC,
INC. FOR THE DESIGN-BUILD OF A FLAT ROOF BALLAST MOUNTED PV SOLAR
ELECTRIC SYSTEM FOR THE MUNICIPAL BUILDING**

WHEREAS, bids were received by the Township of Edison on May 3, 2011 for Public Bid No. 11-03-29, Design-Build of a Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building; and

WHEREAS, FAI-GON ELECTRIC, INC., 140 11th Street, Piscataway, NJ 08854 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase is \$630,000.00 and funds have been certified to be available in US DOE EECBG Grant Account, Number G-02-10-0100-806-001, subject to and contingent upon receiving the grant funds.

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

1. All bids have been reviewed, and the bid submitted by FAI-GON ELECTRIC, INC., 140 11th Street, Piscataway, NJ 08854 for the Design-Build of a Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$630,000.00, and any other necessary documents, with FAI-GON ELECTRIC, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**RESOLUTION AWARDING ADDITIONAL MONEY TO V.E. RALPH & SON INCORPORATED
FOR MEDICAL SUPPLIES**

WHEREAS, bids were received by the Township of Edison on February 10, 2011 for Public Bid No. 11-06-03-Medical Supplies; and

WHEREAS, V.E. RALPH & SON INCORPORATED, 320 Schuyler Avenue, Kearny, NJ 07032, submitted the lowest legally responsible, responsive bid for various catalog items; and

WHEREAS, Resolution R.224-042011 awarded V.E. Ralph & Son \$50,800.00 for medical supplies for Fire, Police, EMT and Health; and

WHEREAS, additional monies need to be awarded under this contract to V.E. Ralph for medical supplies for the Department of Recreation's programs; and

WHEREAS, the maximum amount of this additional purchase is \$1,000.00 and funds in this amount have been certified to be available in the Recreation Supplies Account, Number 1-01-28-0370-000-066, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or her designee, is hereby authorized to add an additional \$1,000.00 to the contract with V.E. RALPH & SON INCORPORATED as described herein.

**RESOLUTION AWARDING ADDITIONAL MONEY TO SCHOOL HEALTH CORPORATION
FOR MEDICAL SUPPLIES**

WHEREAS, bids were received by the Township of Edison on February 10, 2011 for Public Bid No. 11-06-03, Medical Supplies; and

WHEREAS, SCHOOL HEALTH CORPORATION, 865 Muirfield Drive, Hanover Park, IL 60133, submitted the lowest legally responsible, responsive bid; and

WHEREAS, Resolution R.223-042011 awarded School Health Corporation \$2,600.00 for Medical Supplies for the Health Department; and

WHEREAS, Additional monies need to be awarded under this contract to School Health Corporation for medical supplies for the Department of Recreation's programs; and

WHEREAS, the maximum amount of this additional purchase is \$200.00 and funds in this amount have been certified to be available in the Recreation Supplies Account, Number 1-01-28-0370-000-066, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or her designee, is hereby authorized to add an additional \$200.00 to the contract with SCHOOL HEALTH CORPORATION as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AUTOMATED
BUILDING CONTROLS FOR HVAC MAINTENANCE AND REPAIR-LIBRARIES**

WHEREAS, bids were received by the Township of Edison on April 13, 2011 for Public Bid No. 11-03-01, HVAC Maintenance and Repair for the Township Libraries; and

WHEREAS, AUTOMATED BUILDING CONTROLS, 3320 Route 66, Neptune, NJ 07753, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase is \$14,398.50 and funds have been certified to be available in Free Public Library-Other Professional Services, Number 1-01-29-0390-000-028, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

1. All bids have been reviewed, and the bid submitted by AUTOMATED BUILDING CONTROLS, 3320 Route 66, Neptune, NJ 07753 for HVAC Maintenance and Repair for the Township Libraries, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$14,398.50, and any other necessary documents, with Automated Building Controls as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**RESOLUTION AWARDING A CONTRACT TO AFA PROTECTIVE SYSTEMS FOR
ELEVATOR RECALL SERVICE**

WHEREAS; the Municipal Building Elevators must have Elevator Recall Service which includes the smoke/heat detectors and the installation of the fire alarm cable and programming to complete the Elevator Recall Service; and

WHEREAS; AFA PROTECTIVE SYSTEMS, INC., 961 Joyce Kilmer Avenue, North Brunswick, NJ 08902, is our current vendor for alarms, owns the equipment and therefore must provide this service; and

WHEREAS; AFA submitted a proposal in the amount not to exceed \$9,975.00 and funds in this amount have been certified to be available in the Repair Firehouses and Municipal Complex Account, Number C-04-05-1452-391-004.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison that the Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$9,975.00, with AFA PROTECTIVE SYSTEMS, INC., 961 Joyce Kilmer Avenue, North Brunswick, NJ 08902, as set forth above.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CRANBURY CUSTOMS
LETTERING FOR EMERGENCY VEHICLES-LETTERING, DECALS AND WINDOW
TINTING**

WHEREAS, bids were received by the Township of Edison on February 10, 2011 for Contract No. 11-02-24, Emergency Vehicles-Lettering, Decals and Window Tinting for the Divisions of Police, Fire and EMS; and

WHEREAS, CRANBURY CUSTOMS LETTERING, 566 Route 33 West, Mercerville, NJ 08619, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase is \$12,500.00 and funds have been certified to be available in the Fire Fighting-Motor Vehicle Parts & Accessories Account, Number 1-01-25-0265-001-034; Police Vehicles-Other Professional Services Account, Number 1-01-26-0315-002-028; and the EMT Services-Other Professional Services Account, Number 1-01-25-0265-003-028; subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

1. All bids have been reviewed, and the bid submitted by CRANBURY CUSTOMS LETTERING, 566 Route 33 West, Mercerville, NJ 08619 for Emergency Vehicles-Lettering, Decals and Window Tinting for the Divisions of Police, Fire and EMS, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$12,500.00, and any other necessary documents, with CRANBURY CUSTOMS LETTERING as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION

WHEREAS, 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 \$109,009.41.

**RESOLUTION AUTHORIZING A
"DEDICATION BY RIDER" TO THE BUDGET
OF THE TOWNSHIP OF EDISON FOR
HEALTH BENEFITS PURSUANT TO 40:A-39**

WHEREAS, N.J.S. 40A:4-39 provides for the insertion of a "Dedication by Rider" in the budget of any local unit which dedicates revenues anticipated during the calendar year from health benefits, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, New Jersey, that all Health Benefit fees received by the Township of Edison, be placed in a specific trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the local unit, pursuant to N.J.S. 40A:4-39, for the sole purpose stated above.

BE IT FURTHER RESOLVED that the Municipal Clerk of the Township of Edison is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

CERTIFIC
ATION:

RESOLUTION

Whereas, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

Whereas, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$17,739.30 and

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

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

May 25, 2011

**RESOLUTION
CANCELING SMALL BALANCES**

WHEREAS, the Municipal Tax Collector informes that from time to time there are property tax credits or delinquencies on certain property located within the Township of Edison, and

WHEREAS, N.J.S.A. 40A:5-17.1 provides that a municipality may adopt a resolution authorizing a municipal employee to process, without further action on their part, the cancellation of any property tax refund or delinquency of less than \$5.00, and

WHEREAS, that the Municipal Tax Collector is qualified, and recommends, to process said cancellation in his continuing effort to maintain the highest level of fiscal responsibility and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Municipal Tax Collector is hereby authorized to process the cancelation of tax refunds or delinquency of less than Five (\$5.00) dollars during the calendar year of 2011 in accordance with N.J.S.A. 40A:5-17.1.

May 25, 2011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

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

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296034, to the following:

Developer's Name & Address: Kartik Real Estate, LLC
1689 Oak Tree Road
Edison, NJ 08820
Application Number: P17-08/09
Project Location: 1689 Oak Tree Road
Block/Lot: 346.DD/19.B
Amount to be Refunded, plus accrued
interest, if applicable: \$4.25

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

S: Finance\Escrow Accounts\Resolutions\Dev Escrow (IV)

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

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

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295982, to the following:

Developer's Name & Address: Edison Amqsr, Inc.
365 Blair Road, Unit B
Avenel, NJ 07001
Application Number: P07-08/09
Project Location: 760 Route One
Block/Lot: 265.BB/43Q
Amount to be Refunded, plus accrued
interest, if applicable: \$20.05

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

S: Finance\Escrow Accounts\Resolutions\Dev Escrow (IV)

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

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

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295951, to the following:

Developer's Name & Address: Federal Business Centers, Inc
PO Box 7815
Edison, NJ 08818
Application Number: P66-07/08
Project Location: 220 Raritan Center Pkwy
Block/Lot: 390.P/6.03
Amount to be Refunded, plus accrued
interest, if applicable: \$30.30

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

S: Finance\Escrow Accounts\Resolutions\Dev Escrow (IV)

**RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE LOCAL COOPERATIVE
HOUSING INSPECTION PROGRAM FOR THE CONDUCT OF HOTEL AND MULTIPLE
DWELLING INSPECTIONS
FROM JULY 1, 2011 TO JUNE 30, 2012**

WHEREAS, the Township of Edison has requested and received authorization from the NJ Department of Community Affairs to conduct the State mandated inspections of hotels and multiple dwellings with the Township; and

WHEREAS, the State has allocated the sum of \$44,000 to be paid to the Township for costs associated with said inspections.

NOW, THEREFORE, IT IS RESOLVED by the Council of the Township of Edison that the Mayor is hereby authorized to execute an agreement for the conduct of the inspections described herein, and to accept the sum of \$44,000 for the payment of costs associated therewith.

TOWNSHIP OF EDISON

COUNTY OF MIDDLESEX

RESOLUTION

WHEREAS, the Township of Edison is eligible to receive grant funding up to \$5,000.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2011 Municipal Alliance Minigrant Program; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that: the Edison Municipal Alliance/Youth Services Commission in conjunction with the Director of Health and Human Services are authorized to develop and file a grant application with the County of Middlesex ; the County of Middlesex be requested to accept said application on behalf of the Township of Edison; the appropriate fiscal officer will accept the funds in connection with said project from the County of Middlesex and make disbursements in accordance with said application; and the appropriate Township Officials are hereby authorized to file the necessary applications and to enter into agreements and contracts with the County of Middlesex and other agencies and corporations for funding and implementation of this Municipal Alliance Grant program.

RESOLUTION AUTHORIZING A REIMBURSEMENT TO SREEDEVI YARABARLA FOR OVERPAYMENT OF A RENTAL REOCCUPANCY INSPECTION FEES

WHEREAS , Sreedevi Yarabarla, owner of a rental unit located at 192 Evergreen Road, Apartment 16B, Edison, made an online application for an initial Rental Reoccupancy Inspection along with payment in the amount of \$75.00; and

WHEREAS, in accordance with the Code of the Township of Edison, Section 17-1.11e, the appropriate fee for initial Rental Reoccupancy Inspection is \$50.00.

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 \$25.00 to Sreedevi Yarabarla, 1 Pond View Drive, Plainsboro, NJ 08536 which amount represents the amount of overpayment for initial Rental Reoccupancy Inspection.

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the respective amounts totaling \$352.50 to the former Edison Light Transit riders as listed below:

Elangovan Ekambaram 513 Limelight Court, Edison, NJ 08820	3 fares @ \$1.50: <u>\$4.50</u>
Atsede Woredekal 348 Lunar Road, Piscataway, NJ 08540	96 fares @ \$1.50: <u>\$144.00</u>
Lavanya Thota 1805 Rivendell Way, Edison, NJ 08817	23 fares @ \$1.50: <u>\$34.50</u>
Syed M, Bokhari 1502 Merrywood Drive, Edison, NJ 08817	43 fares @ \$1.50: <u>\$64.50</u>
Amit Kantak 71 Nova Drive, Piscataway, NJ 08540	60 fares @ \$1.50: <u>\$90.00</u>
Kirrin Punnoose 2902 Jesse Way, Piscataway, NJ 08540	10 fares @ \$1.50: <u>\$15.00</u>

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO RARITAN
HOSPITAL FOR ANIMALS FOR THE FURNISHING OF PROFESSIONAL VETERINARY
SERVICES**

WHEREAS, quotes were solicited by the Township of Edison for veterinary services such as basic office visits, rabies vaccines and clinics, humane injections, etc.; and

WHEREAS, RARITAN HOSPITAL FOR ANIMALS, 1850 Route 27, Edison, NJ 08817 submitted the sole quote; and

WHEREAS, funds in the amount of \$17,000.00 have been certified to be available in the Dog Expenditures Account No. T-12-00-0100-000-001; and

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

1. All quotes have been reviewed, and the quote as submitted by RARITAN HOSPITAL FOR ANIMALS, 1850 Route 27, Edison, NJ 08817 for veterinary services such as basic office visits, rabies vaccines and clinics, humane injections, etc. is determined to be the sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$17,000.00, and any other necessary documents, with RARITAN HOSPITAL FOR ANIMALS.

EXPLANATION: An Ordinance authorizing the acquisition of and/or condemnation of properties located at intersection of Woodbridge Avenue and Gurley/Trenton Road for the installation traffic signals pursuant to an agreement with the County of Middlesex

EDISON TOWNSHIP

ORDINANCE

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AND/OR CONDEMNATION OF PROPERTIES LOCATED AT INTERSECTION OF WOODBRIDGE AVENUE AND GURLEY/TRENTON ROAD, BLOCK 375B, PART OF LOT 4-B; 2405 WOODBRIDGE AVENUE, BLOCK 265-DD, PART OF LOT 18-D; 2375 WOODBRIDGE AVENUE, BLOCK 265-FF, PART OF LOTS 16 & 18-J; 2395 WOODBRIDGE AVENUE, BLOCK 265-FF, PART OF LOTS 18-F & 18-E; 73 GURLEY ROAD, BLOCK 265-DD, PART OF LOTS 18-G & 18-H; IN THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY FOR INSTALLATION OF TRAFFIC SIGNALS AT THE WOODBRIDGE AVENUE AND GURLEY/TRENTON ROAD INTERSECTION

WHEREAS, The Township of Edison and the County of Middlesex entered into an Agreement to jointly install traffic signals at the intersection of Woodbridge Avenue and Gurley/Trenton Road intersection.

WHEREAS, in order to proceed with the successful completion of proper drainage and the installation of traffic signals at the intersection of Woodbridge Avenue and Gurley/Trenton Road, in the Township of Edison, it is necessary for the Township of Edison to acquire certain real property located at:

2370 Woodbridge Avenue, Block 375B, Part of Lot 4-B;

2405 Woodbridge Avenue, Block 265-DD, Part of Lot 18-D;

2375 Woodbridge Avenue, Block 265-FF, Part of Lot 16 & 18-J;

2395 Woodbridge Avenue, Block 265-FF, Part of Lot 18-F & 18-E;

73 Gurley Road, Block 265-DD, Part of Lots 18-G & 18-H; and,

WHEREAS, the Agreement with the County of Middlesex provides that the cost to acquire the right-of-way and easements and all associated costs including but not limited to appraisals, condemnation and legal fees is the responsibility of the Township of Edison; and

WHEREAS, the acquisition of property by the Township of Edison by means of purchase, gift, devise, lease, exchange, eminent domain, condemnation or purchase installment agreement is authorized by N.J.S.A. 40A:12-1 et seq. and N.J.S.A. 20:3-1 et seq.; and,

WHEREAS, the Township Council of the Township of Edison wishes to authorize the Mayor to negotiate the acquisition of the following properties by offering the property owners the Fair Market Value of the properties as determined by an independent appraiser having completed an analysis and valuation of the properties located at, and in the amounts so indicated:

2370 Woodbridge Avenue, Block 375B, Part of Lot 4-B at \$ 7,600 ;

2405 Woodbridge Avenue, Block 265-DD, Part of Lot 18-D at \$ 50,000;

2375 Woodbridge Avenue, Block 265-FF, Part of Lot 16 & 18-J at \$ 32,000 ;

2395 Woodbridge Avenue, Block 265-FF, Part of Lot 18-F & 18-E at \$ 7,400;

73 Gurley Road, Block 265-DD, Part of Lots 18-G & 18-H at \$ 2,200.

WHEREAS, the property owner of 2370 Woodbridge Avenue, Block 375B, Part of Lot 4-B has requested consideration of \$10,500 for the Permanent Easement located on such property, and the Township Council of the Township of Edison wishes to authorize the Mayor to acquire said property for said \$10,500.

WHEREAS, the property owners of 2395 Woodbridge Avenue, Block 265-FF, Part of Lot 18-F & 18-E and 73 Gurley Road, Block 265-DD, Part of Lots 18-G and 18-H have agreed to accept the Fair Market Values of the properties as determined by the independent appraiser set forth above, and the Township Council of the Township of Edison wishes to authorize the Mayor to acquire said properties for \$7,400 and \$2,200 respectively.

WHEREAS, the Township Council of the Township of Edison wishes to authorize the Mayor to acquire the following properties up to the value authorized below for each property by utilizing the Eminent Domain Act, N.J.S.A 20:3-1 et. seq. should negotiations fail:

2370 Woodbridge Avenue, Block 375B, Part of Lot 4-B at \$ 10,500 ;

2405 Woodbridge Avenue, Block 265-DD, Part of Lot 18-D at \$ 50,000;

2375 Woodbridge Avenue, Block 265-FF, Part of Lot 16 & 18-J at \$ 32,000 ;

2395 Woodbridge Avenue, Block 265-FF, Part of Lot 18-F & 18-E at \$ 7,400;

73 Gurley Road, Block 265-DD, Part of Lots 18-G & 18-H at \$ 2,200.

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

1. The Mayor and all necessary Township Officials are hereby authorized to undertake an investigation and study of the property, including performing an appraisal of the properties to determine the Fair Market Value of the Properties, and to do all things necessary and proper as required by law for said investigation and study, including retaining the services of a title or abstract company to perform a public search of the properties; and
2. The Mayor and all necessary Township Officials are hereby authorized to acquire the following properties up to the value authorized below for each property by utilizing the Eminent Domain Act, N.J.S.A 20:3-1 et. seq. should negotiations fail:

2370 Woodbridge Avenue, Block 375B, Part of Lot 4-B at \$ 10,500 ;

2405 Woodbridge Avenue, Block 265-DD, Part of Lot 18-D at \$ 50,000;

2375 Woodbridge Avenue, Block 265-FF, Part of Lot 16 & 18-J at \$
32,000 ;

2395 Woodbridge Avenue, Block 265-FF, Part of Lot 18-F & 18-E at \$
7,400;

73 Gurley Road, Block 265-DD, Part of Lots 18-G & 18-H at \$ 2,200.

3. The Mayor, all necessary Township Officials, and the Township Attorney are hereby authorized to prepare and execute any contracts, agreements or documents and to do all things reasonably required to acquire the property as provided herein, including but not limited to the filing of a condemnation complaint, declaration of taking, lis pendens and such other documentation.

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).

FIRST READING	_____	___, 2011
FIRST PUBLICATION THE HOME NEWS & TRIBUNE	_____	___, 2011
FINAL READING	_____	___, 2011
APPROVAL OF THE MAYOR	_____	___, 2011
FINAL PUBLICATION THE HOME NEWS & TRIBUNE	_____	___, 2011

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2011 calendar year, funds in the amount of \$102,100.00 are available in Account No. _____.

Frank DeRosa
Acting, Chief Financial Officer

EXPLANATION: A Resolution declaring the property commonly known as the former Revlon property being Block 124, Lots 21, 22, and 2-E-5 as an area in need of redevelopment.

EDISON TOWNSHIP

RESOLUTION

RESOLUTION DECLARING THE PROPERTY COMMONLY KNOWN AS THE FORMER REVILON PROPERTY BEING BLOCK 124, LOTS 21, 22, AND 2-E-5 AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, pursuant to the “Local Redevelopment and Housing Law” N.J.S.A. 40:A:12A-1 et seq., and by Resolution R.201-042000 adopted on May 25, 2000 and again by Resolution R.482-092007 adopted on September 26, 2007, the Township Council authorized the Edison Planning Board to undertake a preliminary investigation to determine whether the area known as the former Revlon property being Block 127, Lots 21, 22, and 2-E-5 qualified as an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, at the Planning Board meeting of August 25, 2008 the Planning Board determined, in accordance with the “Need for Redevelopment Preliminary Investigation Report and Maps for Revlon Redevelopment Study Area” prepared by Bignell Planning Consultants, originally prepared June 200, revised April 2008, that the property commonly known as the former Revlon property being Block 127, Lots 21, 22, and 2-E-5 qualified as an “area in need of redevelopment” pursuant to the provisions of N.J.S.A. 40:A12A-5; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Edison that pursuant to the provisions of N.J.S.A. 40A:12A-5, the Township of Edison Council accepts the recommendation of the Planning Board and adopts by reference the “Need for Redevelopment Preliminary Investigation Report and Maps for Revlon Redevelopment Study Area” prepared by Bignell Planning Consultants, originally prepared June 200, revised April 2008 and hereby declares that the property commonly known as the former Revlon property being Block 127, Lots 21, 22, and 2-E-5 as an “area in need of redevelopment.”

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Township Council of the Township of Edison that pursuant to the provisions of N.J.S.A. 40A:12A-7(f), that the Planning Board is directed to prepare a Redevelopment Plan for the property commonly known as the former Revlon property being Block 127, Lots 21, 22, and 2-E-5 and to forward the same to the Township Council for consideration.

EXPLANATION: A Resolution waiving fees for the Memorial Post 3117 Veterans of Foreign Wars of the United States, Inc. for work on their property located at 55 National Road, Edison, New Jersey.

EDISON TOWNSHIP

RESOLUTION

WHEREAS, the Memorial Post 3117 Veterans of Foreign Wars of the United States, Inc. (“VFW”), has requested a waiver of any and all permit fees, application fees and related fees and costs concerning the renovations at the property located at 55 National Road, Edison, New Jersey as approved by the Edison Township Zoning Board of Adjustment as embodied in its Resolution of May 18, 2010 for Case Number Z-22-09/10 (the “Project”); and

WHEREAS, the Project requires:

1. A Developer’s Agreement pursuant to Township Code Section 39-12.24, which allows for a waiver of 50% of the required escrow deposit as provided for in Section 39-12.23; and
2. A Site Improvement Permit pursuant to Township Code Section 14-2.1 et seq., which does not provide for a waiver of inspection fees or the Site Improvement Permit fee or performance guarantee as required, however Section 39-12.23 allows for a waiver of 50% of the required escrow deposit for engineering inspection fees; and
3. Various construction permits pursuant to the New Jersey State Uniform Construction Code, N.J.S.A. 52:27D-119 et seq. and N.J.A.C. 5:23-1.1 et seq., and, Township Ordinance Section 14-1, which allows for the waiver of only the Township’s portion of permit and inspection fees; and
4. Notices of Violation and Penalties pursuant to the New Jersey State Uniform Construction Code, N.J.S.A. 52:27D-119 et seq. and N.J.A.C. 5:23-1.1 et seq., and, Township Ordinance Section 14-1 have been issued, however, those Sections do not permit the Township to waive or reduce any portion of those penalties as that is in the sole discretion of the Construction Code Official.

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any permit fees, application fees and related fees and costs as permitted by the Code of the Township of Edison as detailed above.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive the following permit fees, application fees and related fees and costs:

1. 50% of the required escrow deposit for the Developer’s Agreement shall be waived, however, the VFW is still responsible to pay the Township for all costs and fees incurred for the Developer’s Agreement as set forth in Township Code Section 39-12.24; and
2. 50% of the required escrow deposit for engineering inspection fees for the Site Improvement Permit shall be waived, however, the VFW is still responsible to pay the Township for all engineering inspection fees incurred and for the Site Improvement Permit fee or performance guarantee as required by Township Code Section 14-2.1 et seq.; and
3. The Township’s portion of the various construction permit and inspection fees pursuant to the New Jersey State Uniform Construction Code, N.J.S.A. 52:27D-119 et seq. and N.J.A.C. 5:23-1.1 et seq., and, Township

Ordinance Section 14-1, are waived, however, the VFW is still responsible for the State's portion of the construction permits fees.

EXPLANATION: This Resolution permits the Township of Edison to advertise for public bidding to co-locate a cellular tower and ground lease for the Township property located at 25 Plainfield Avenue (Raritan Engine Co. No. 1 Firehouse Property).

EDISON TOWNSHIP

RESOLUTION

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO BID A LEASE FOR A PORTION OF TOWNSHIP PROPERTY LOCATED AT 25 PLAINFIELD AVENUE FOR THE CO-LOCATION OF A WIRELESS TELECOMMUNICATION FACILITY

WHEREAS, pursuant to Resolution R.583-112007 adopted on November 28, 2007 and Ordinance O.1672-2008 adopted on December 22, 2008, the Township authorized a lease for New York SMSA Limited Partnership d/b/a Verizon Wireless to utilize the existing antenna tower and a portion of Township-owned property located at 25 Plainfield Avenue, Lot 13.F in Block 264.F on the Township of Edison Tax Map (Raritan Engine Co. No. 1 Firehouse Property) for a cellular communication facility; and

WHEREAS, the Township of Edison has now expressed a desire to advertise for bids to utilize the existing tower and a portion of the property to co-locate another cellular carrier at 25 Plainfield Avenue, Lot 13.F in Block 264.F; and

WHEREAS, the Township of Edison, has determined that pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et seq., that the portion of the property commonly known as the Raritan Engine Co. No. 1 Firehouse Property to be used for the co-location of another cellular carrier is not presently needed for public use and that, subject to the terms and conditions in the Bid and Lease Agreement, that the leasing of the Property is not presently of such a character as to be a detriment to the building and/or area, or the use of the building and/or area, or the use of the unleased parts of the building and/or area; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township Council authorizes the Township to advertise for public bidding of a lease for a portion of the property located at 25 Plainfield Avenue for a cellular carrier to co-locate on the existing tower in accordance with bid specifications and a lease to be developed and approved by the Township Attorney in concert with the appropriate representatives of the Division of Fire, Division of Police and the Township Engineer which should be similar in form and content to the bid specifications and lease used for the aforementioned lease with Verizon Wireless.

2. Additionally, the bid specifications, bidding and lease shall conform with the requirements of the Local Lands and Building Law, N.J.S.A. 40A:12-1 et seq., and contain a minimum bid of \$25,000.00.
3. Once the bids are received, they shall be reviewed and provided to the Township Council, and pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et seq., the lease shall be awarded by an Ordinance of the Township Council.

EXPLANATION: This Resolution authorizes a Shared Services Agreement with the Borough of Middlesex for Animal Control Shelter Services.

EDISON TOWNSHIP

RESOLUTION

WHEREAS, the Borough of Middlesex is desirous of procuring Animal Control Shelter Services from the Township of Edison for the period of June 1, 2011 through December, 31 2013 inclusive, to comply with the laws of the State of New Jersey; and

WHEREAS, the Township of Edison wishes to enter into a Shared Services Agreement with the Borough of Middlesex, attached hereto, for the provision of Animal Control Shelter Services as permitted by the "Uniform Shared Services and Consolidation Act" N.J.S.A. 40A:65-1, et seq.

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

1. The attached Shared Services Agreement between the Township of Edison and the Borough of Middlesex for the provision of Animal Control Shelter Services is hereby approved by the Township Council and the Mayor, Township Clerk and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Shared Services Agreement.
2. Upon receipt of the Borough of Middlesex Resolution approving the Shared Services Agreement and an executed copy of the Agreement, the Township shall provide copies of all Resolutions and the Shared Services Agreement to the Division of Local Government Services in the Department of Community Affairs as required by N.J.S.A. 40A:65-4(b).
3. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Shared Services Agreement between the Township of Edison and the Borough of Middlesex for the provision of Animal Control Shelter Services attached hereto and all other documents and undertake all actions reasonably necessary to effectuate and implement this Resolution and the terms of the Shared Services Agreement.
4. The Township Clerk is also directed to forward a certified copy of this Resolution once adopted to the Edison Township Attorney and the Middlesex Borough Clerk.

RESOLUTION

WHEREAS, Fox & Foxx Development, LLC posted a Tree Maintenance Bond check #16066 in the amount of \$90.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-70, located at 49 Farmhaven Avenue, Block: 995 and Lot: 18; and

WHEREAS, a Tree Maintenance Bond was posted on October 27, 2006 in the amount of \$90.00, on deposit in account #7760237650; and

WHEREAS, the Certificate of Occupancy was issued on August 13, 2007; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount of \$90.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$90.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$90.00, plus accrued interest, if applicable, on deposit in Account #7760237650 to Fox & Foxx Development, LLC having offices at 940 Amboy Avenue, Suite 101, Edison, N.J. 08837.

RESOLUTION

WHEREAS, Fox & Foxx Development, LLC posted a Tree Maintenance Bond check #20894 in the amount of \$45.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-96, located at 48 Richard Road, Block: 1025 and Lot: 8; and

WHEREAS, a Tree Maintenance Bond was posted on August 11, 2008 in the amount of \$45.00, on deposit in account #7760275074; and

WHEREAS, the Certificate of Occupancy was issued on January 15, 2009; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount of \$45.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$45.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$45.00, plus accrued interest, if applicable, on deposit in Account #7760275074 to Fox & Foxx Development, LLC having offices at 940 Amboy Avenue, Suite 101, Edison, N.J. 08837.

EXPLANATION: This resolution provides for authorization to amend Purchase Order no. 10-03052 from the initial amount of \$3,915.00 to the final adjusted amount of \$5,558.55 and provides for final payment to Straight Edge Striping in the amount of \$1,643.55 and provides for Township Acceptance of the completed improvements under Purchase Order no. 10-03052: Bikeway Connectivity Project Striping Improvements, at Papaiani Park and Municipal Boulevard, Township of Edison, Middlesex County, New Jersey.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, Straight Edge Striping, 223 East Main Street, Bound Brook, NJ 08805-2029, was contracted by the Township under Purchase Order no. 10-03052, on December 10, 2009, based on the selection of the lowest quotation received in an amount not to exceed \$3,915.00, for Bikeway Connectivity Project Striping Improvements, at Papaiani Park and Municipal Boulevard, Township of Edison, Middlesex County, New Jersey.

WHEREAS, the Township Engineer has deemed that additional pavement striping and pavement markings became necessary during the course of the work, and therefore recommends and requests authorization for a purchase order amendment in an amount not to exceed \$1,643.55 to the original purchase order, for a revised total purchase order amount not to exceed \$5,558.55, which sum is based on the as-built field measurements of pavement striping and pavement markings applied; and

WHEREAS, the Township Engineer has reviewed the work and certifies that the pavement striping and marking work for a bikeway connectivity project has been completed, and states that since this work was conducted below the bid threshold amount a maintenance bond is not required, and further recommends that the additional \$1,643.55 payment be made to Straight Edge Striping, for a total as-built amount not to exceed \$5,558.55.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the Bikeway Connectivity Project Striping Improvements, at Papaiani Park and Municipal Boulevard, Township of Edison, Middlesex County, NJ, are deemed accepted by the Township of Edison, and that the listed purchase order amendment is hereby approved, and that final payment shall be made to Straight Edge Striping, 223 East Main Street, Bound Brook, NJ 08805-2029, in an additional amount not to exceed \$1,643.55 for a total as-built cost of \$5,558.55, for Bikeway Connectivity Project Striping Improvements, at Papaiani Park and Municipal Boulevard, Township of Edison, Middlesex County, New Jersey.

RESOLUTION

WHEREAS, on May 18, 2011 a Maintenance Bond #B98808-021319 was posted by Rukh Real Estate, LLC in the amount of \$14,389.80 and it is now recommended by the Township Engineer to release the Cash Performance and Performance Bond for the above application; and

WHEREAS, the Township Engineer advises that an inspection has been made of Rukh Real Estate, Application #P34-04/05 located at 180-184 Route 27 in Block: 663, Lot: 17A & 19A, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the **release of the Performance Bond #B98808-016543 of American Southern Insurance Company in the amount of \$103,606.56 with the Township of Edison, principal being Rukh Real Estate, LLC and acceptance of the subject improvements; and**

WHEREAS, the Township Engineer, recommends the **release of the Cash Performance Bond Check #5608 in the amount of \$11,511.84, on deposit in account #7760013333 with the Township of Edison, principal being Accurate Diagnostic Labs, Inc. having offices at 28 Ambrose Valley Lane, Piscataway, N.J. 08854, and acceptance of the subject improvements; and**

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to **return the aforesaid Performance Bond in the amount of \$103,606.56 to the applicant; and**

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to **return the aforesaid Cash Performance Bond in the amount of \$11,511.84, plus accrued interest, if applicable, on deposit in account #7760013333 to the applicant.**

EXPLANATION: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2011 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FORMULA PROGRAM GRANT THROUGH THE FILING OF THE FISCAL YEAR 2011 ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to address the supportive housing needs of low-income persons living with HIV/AIDs and their families; and

WHEREAS, through a statutory method to allocate HOPWA funds, the Township of Edison qualifies to administer these funds on behalf of the metropolitan area, including Middlesex and Somerset Counties, Monmouth County and Ocean County; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2011 Housing Opportunities for Persons with AIDs (HOPWA) Formula Program Grant in the estimated amount of One Million, Four Hundred Ninety Seven Thousand, Eight Hundred Seventy Five Dollars (\$1,497,875); and

WHEREAS, the Township will serve as the lead jurisdiction for the eligible metropolitan statistical area (EMSA) and receive a total of One Million, Four Hundred Ninety Seven Thousand, Eight Hundred Seventy Five Dollars (\$1,497,875) to fund eligible 2011 activities that will be carried out during the 2011 Program Year; and

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

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

Section 1. The application for the Housing Opportunities for Persons with AIDs (HOPWA) Formula Grant Program for Fiscal Year 2011 under the Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

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

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for One Million, Four Hundred Ninety Seven Thousand, Eight Hundred Seventy Five Dollars (\$1,497,875), which the U.S. Department of Housing and Urban Development has indicated it is willing to make available to carry out the Housing Opportunities for Persons with AIDs (HOPWA) Program listed in the 2011 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SIEMENS WATER TECHNOLOGIES CORPORATION FOR THE PURCHASE OF BIOXIDE, A NON-HAZARDOUS CHEMICAL FOR ODOR CONTROL FOR THE TOWNSHIP OF EDISON SEWER SYSTEM

WHEREAS, the Township of Edison Department of Public Works, Sewer Division has a need to purchase Bioxide, a non-hazardous chemical for odor control for the Sewer System pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, SIEMENS WATER TECHNOLOGIES CORPORATION, 2650 Tallevast Road, Sarasota, FL 34243 has a patent on Bioxide and is a sole source vendor; and

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

WHEREAS, SIEMENS WATER TECHNOLOGIES CORPORATION, will provide approximately 7,200 gallons of Bioxide at \$2.56 per gallon for a total price not to exceed \$18,500.00; and

WHEREAS, SIEMENS WATER TECHNOLOGIES CORPORATION, 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 SIEMENS WATER TECHNOLOGIES CORPORATION from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$18,500.00 have been certified to be available in the Sewer Other Contractual Items Account, No. 1-07-55-0501-000-029, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$18,500.00, with SIEMENS WATER TECHNOLOGIES CORPORATION, 2650 Tallevast Road, Sarasota, FL 34243 as described herein.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**RESOLUTION AWARDING PAYMENT TO VARIOUS NON-PROFIT
ORGANIZATIONS FOR LEAGUE RECREATIONAL SERVICES FUNDING
SPORTS ACTIVITIES**

WHEREAS, there exists an ordinance for the Township of Edison to provide for League Recreational Services Funding for sports activities sponsored by certain nonprofit sports organizations; and

WHEREAS, funds in the amount of \$193,761.00 have been certified to be available in the Recreation Other Professional Services Account, Number 1-01-28-0370-000-028, subject to and contingent upon appropriation of sufficient funds in the 2011 budget; and

WHEREAS, the below listed nonprofit sports organizations will be eligible for the amounts specified as their annual allotment, after complying with all requirements listed in the contracts between the Leagues and the Township of Edison:

Clara Barton American Legion #324	\$ 2,106.00
Edison Angels Softball	\$20,880.00
Edison Boys Baseball	\$42,120.00
Edison Jets Football	\$ 9,720.00
Edison Youth Basketball	\$15,390.00
Edison United Soccer Association	\$27,000.00
Fords/Clara Barton Little League	\$ 3,888.00
Little Eagles Wrestling	\$ 2,835.00
Midtown Little League	\$13,770.00
North Edison Baseball & Softball Asso.	\$42,282.00
North Edison Shamrocks Football	\$ 9,720.00
Buddy Ball of Edison	\$ 4,050.00

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given, upon adoption of the 2011 municipal budget, to release said funds to these nonprofit sports organizations.

EXPLANATION: This ordinance changes the length of parking permits from one (1) year to three (3) years.

EDISON TOWNSHIP

ORDINANCE O.1774-2011

WHEREAS, the Township wishes to changes the length of parking permits from one (1) year to three (3) years.

BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter VII Traffic is hereby amended as follows:

SECTION I. Section 7-17 Residential Permit Parking is hereby amended as follows:

7-17 RESIDENTIAL PERMIT PARKING.

e. *Applications.* Application for parking permits under this section shall be made in writing on forms provided by the ~~Division of Licenses and Permits~~ Department of Health. Permits shall be issued without charge only under the following terms and conditions:

1. Residential permits shall be renewed ~~annually~~ every three (3) years and the current year's sticker must be affixed to the registered vehicle by January 15 of the first year the permit is issued. Permits bearing the year 2010 are extended and effective through December 31, 2012, thereafter all permits will be renewed for a three (3) year term. As part of the renewal process, residents shall be required to show their issued visitor permits in order to obtain a color-coded residential sticker for the particular zone.

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.

ORDINANCE O.1775-2011

**ORDINANCE TO AMEND LOCAL ORDINANCE 2-35 DIVISIONS OF POLICE OR FIRE;
DECREASE OF FORCE FOR REASONS OF ECONOMY.**

WHEREAS, Local Ordinance 2-35 is entitled, “2-35 DIVISIONS OF POLICE OR FIRE; DECREASE OF FORCE FOR REASONS OF ECONOMY” and states the following languages:

“In accordance with the provisions of N.J.S.A. 40A:14-25 and N.J.S.A. 40A:14-143, the Township Council, if they shall deem it necessary for reasons of economy, may decrease the number of members and officers of the Police or Fire Divisions or force or their grades or ranks. In case of demotion from the higher ranks, the officers or members to be so demoted shall be in the inverse order of their appointment. When the service of members or officers is terminated, such termination shall be in the inverse order of their appointment. Any member or officers who is demoted or whose service is terminated by reason of such decrease shall be placed on a special employment list, and in the case of subsequent promotions, a person so demoted shall be reinstated to his original rank and in the case of termination of service and new appointment, first preference shall be given to persons on said special employment list. The special employment list shall be retained by the Department of Personnel for a period of three (3) years from the date of termination or demotion.(1999 Code § 2.20.290)”

WHEREAS, in 2006, by its enactment of Local Ordinance 2-35, Township Council acted in accordance with N.J.S.A. 40A:14-143 and New Jersey case law, properly vesting itself with the exclusive power to decrease the fire or police forces for reasons of economy; and

WHEREAS, Township Council understands that N.J.S.A. 40A:14-143 does not impose a limitation on the duration of a “special employment list”; and

WHEREAS, Township Council, recognizes that ordinance 2-35 includes the phrase, “The special employment list shall be retained by the Department of Personnel for a period of three (3) years from the date of termination or demotion” and this phrase is inconsistent with the language of N.J.S.A. 40A:14-143; and

WHEREAS, Township Council believes that the removal of the three year limitation found in Local Ordinance 2.35 is necessary to preserve the rights of the affected employees, restore good faith, and become harmonious with state law;

TOWNSHIP COUNCIL HEREBY AMENDS LOCAL ORDINANCE 2-35 TO READ AS FOLLOWS:

“In accordance with the provisions of N.J.S.A. 40A:14-25 and N.J.S.A. 40A:14-143, the Township Council, if they shall deem it necessary for reasons of economy, may decrease the number of members and officers of the Police or Fire Divisions or force or their grades or ranks. In case of demotion from the higher ranks, the officers or members to be so demoted shall be in the inverse order of their appointment. When the service of members or officers is terminated, such termination shall be in the inverse order of their appointment. Any member or officers who is demoted or whose service is terminated by reason of such decrease shall be placed on a special employment list, and in the case of subsequent promotions, a person so demoted shall be reinstated to his original rank and in the case of termination of service and new appointment, first preference shall be given to persons on said special employment list. The special employment list *shall continue indefinitely or until such officer is restored to his or her previous rank or appointment.*”