

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, June 10, 2013
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 27, 2012 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Worksession Meeting of April 22, 2013
 - b. Closed Session of May 22, 2013
 - c. Regular Meeting of April 24, 2013
6. **2013 CALENDAR YEAR MUNICIPAL BUDGET:**
 - a. Public Hearing on Second Amendment
 - b. Final Adoption of Budget
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing purchase of various computer equipment and supplies from CDW Government Inc. through the Middlesex Regional Education Services Commission Cooperative Pricing System.
 - b. Awarding Contract/Purchase order to Motorola Solutions, Inc. for the repair and maintenance of Radio Communication Equipment and Accessories.
 - c. Award of Contract for Bid No. 13-02-10 for Maintenance and repair of office equipment.
 - d. Awarding Contract/Purchase order for Goodyear Tires and Tubes.
10. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through June 6, 2013.
 - b. Resolution authorizing refund in the amount of \$97,055.51 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$74,107.99.

- d. Resolution authorizing overpayment refund caused by Successful Tax court Appeal with Freeze Act Provision.
 - e. Awarding of Non-fair and Open Contract for Maintenance and support of Data Processing Tax Assessor Software.
11. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution authorizing participation in the State Local Cooperative Housing Inspection Program for the conduct of Hotel and Multiple Dwelling Inspections from July 1, 2013 to June 30,2014.
 - b. Resolution authorizing a reimbursement of fees to Raymond Annun for duplicate payment of retail food establishment review fees.
12. **FROM THE DEPARTMENT OF LAW:**
- a. Ordinance revises the procedures for the issuance of Public Event.
 - b. Ordinance approving United Fiber & Data Rights of Way Use Agreement.
 - c. Ordinance revising the Township Code Section regarding the licensing and operations of taxicabs.
13. **FROM THE LIBRARY:**
- a. Awarding of Contract/Purchase order for Lawn Services for the Township Libraries.
14. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution authorizing the Township of Edison to enter into a Memorandum of Understanding with Woodbridge Township as a Program Sponsor to provide rental assistance to persons with AIDS or related diseases funded by the HOPWA grant, which is provided by HUD.
 - b. Resolution authorizing the Township of Edison to enter into a Memorandum of Understanding with Monmouth county Human Services Department, as a Program Sponsor to provide rental assistance to persons with AIDS or related diseases funded by the HOPWA grant, which is provided by HUD.
 - c. Resolution authorizing the Township of Edison to enter into a Memorandum of Understanding with Ocean County Board of Social Services, as a Program Sponsor to provide rental assistance to persons with AIDS or related diseases funded by the HOPWA grant, which is provided by HUD.
 - d. Resolution consenting to the proposed Water Quality Management (WQM) Plan amendment entitled: Middlesex County Wastewater Service Area Map.
 - e. Resolution for the refund of the unused portion of Developers Escrow fees posted by 136 Talmadge Road LLC for the Planning Board Application No.Z77-09/10
 - f. Resolution for the refund of the unused portion of Developers Escrow fees posted by Fords Corner for the Planning Board Application No.P-5146.
 - g. Resolution for the refund of the unused portion of Developers Escrow fees posted by T. Mobile USA for the Planning Board Application No.P22-09/10
 - h. Resolution for the refund of the unused portion of Developers Escrow fees posted by Anton Nagder for the Planning Board Application No. Z35-2012.
 - i. Resolution for the refund of the unused portion of Developers Escrow fees posted

- by Robert Lamb for the Planning Board Application No.P26-09/10.
- j. Resolution for the refund of the unused portion of Developers Escrow fees posted By Day Pitney for the Planning board application No.Z56-2011.
 - k. Resolution for the refund of the unused portion of Developers Escrow fees posted by Henkels and McCoy, Inc. for the Planning Board Application No.P29-09/10.
 - l. Resolution for the refund of the unused portion of Developers Escrow fees posted by Fords Corner, LLC for the Planning Board application No.P5135,#P331-09/10.
 - m. Resolution for the refund of the unused portion of Developers Escrow fees posted by KIF Property Trust for the Planning Board Application No.P01-08/09.
 - n. Resolution for the refund of the unused portion of Developers Escrow fees posted by KIF Property Trust for the Planning Board Application No.P5-2011.
 - o. Resolution for the refund of the unused portion of Developers Escrow fees posted by Clifford Kuhn for the Planning Board application No.Z10-2011.
 - p. Resolution refunding unused portion of Engineering Inspection Fees on Site Plan under Application No. P25-09/10, Plainfield County Club, Phase I- Pool Complex.
 - q. Resolution Releasing Performance Guarantee on Site Plan Improvements, under application No. P25-09/10, Plainfield Country Plan – Phase I Pool Complex.
 - r. Resolution refunding Tree Maintenance Bond on established Site Plan Tree Plantings at the Plainfield Country Club, as required under application No. P25-09/10 for Phase I improvements known as the Pool Complex under Tree Permit No. 10-111.
 - s. Amendment to Resolution R.169-032013 of the Township Council of the Township of Edison approving the Fiscal Year 2013 Community Development Block Grant Program and the filing of the Fiscal Year 2013 Amended Consolidated Annual Action Plan.
 - t. Amendment to Resolution R.170-032013 of the Township Council of the Township amending the Fiscal Year 2013 Housing Opportunities for persons with AIDS (HOPWA) Formula Program Grant through the filing of the amended Fiscal Year 2013 Annual Action Plan.
 - u. Resolution rejecting all bids for the Frost Avenue East Corrugated Metal Pipe Rehabilitation.

15. **FROM THE DEPARTMENT OF PUBLIC WORKS:**

- a. Resolution authorizing additional funds for Diesel Fuel.
- b. Resolution authorizing the Township of Edison to purchase a Toro Groundsmaster 4000-D through the Middlesex Regional Education Services Commission Cooperative Pricing System.
- c. Resolution authorizing the Township of Edison to purchase two (2) Toro Polar Trac Winter Cabs through the Middlesex Regional Education Services Commission Cooperative Pricing System.
- d. Resolution authorizing the Township of Edison to purchase two (2) Commercial Toro Groundsmaster 72410 Zee Model 303693N through the Middlesex Regional Education Services Commission Cooperative Pricing System.

- e. Resolution authorizing additional funds for the Traffic, Warning and Street Signs and related supplies contract.
- f. Awarding of Contract for the Furnishing of Automotive Parts for Heavy Duty Vehicles.

16. **FROM THE DEPARTMENT RECREATION:**

- a. Resolution authorizing contribution to the Edison Township Parade Committee
- b. Resolution Awarding reimbursement to Ngutor J. Ifan for Adult Basketball Good Standing refund.

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

- a. Award of Contract for Bid No. 13-03-19 for Video Networking Recording Equipment.

18. **FROM THE TOWNSHIP CLERK:**

- a. Renewal of Liquor Licenses

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

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

O.1837-2013 AN ORDINANCE AUTHORIZING A RIGHTS OF WAY
USE AGREEMENT WITH FIBER TECHNOLOGIES
NETWORKS, LLC FOR THE USE OF PUBLIC RIGHTS
OF WAY FOR THE INSTALLATION OF
TELECOMMUNICATION LINES AND FACILTIES.

21. **PROPOSED RESOLUTIONS:**

None

22. **COMMUNICATIONS:**

- a. Email received from Mr. Olhson regarding operating of machines on Sunday.

23. **DISCUSSION ITEMS:**

Council President Diehl

None

Councilmember Gomez

None

Councilmember Karabinchak

- a. Tax Appeals
- b. Capital Improvements
- c. Oak Tree & Woodland Intersections
- d. Overlay Zone

Councilmember Lankey

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

24. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 6, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through June 6, 2013

FUND	AMOUNT
Current	\$6,562,245.98
Affordable Housing	6,006.38
Capital	105,142.11
Cash Performance	0.00
CDBG	79,163.37
Developers Escrow	6,263.70
Dog (Animal Control)	1,079.60
Federal Forfeited	2,388.72
Grant Funds	14,695.05
Law Enforcement	0.00
Open Space	0.00
Payroll Deductions	832,954.39
Sanitation Fund	258,498.10
Sewer Utility	159,550.85
Tax Sale Redemption	480,119.79
Tree Fund	0.00
Tree Planting	0.00
Trust	350,790.13
 TOTAL	 \$8,858,898.17

/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

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 **\$97,055.51**.

June 12, 2013

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 \$74,107.99 and

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

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

June 12, 2013

RESOLUTION
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.462-072012**:

TAXPAYER	CIVF I-NJ1B02,LLC C/O DCT INDUST
PROPERTY LOCATION	47 BRUNSWICK AVE
BLOCK / LOT / QUALIFIER	19.A/ 6
DOCKET NUMBER:	005963-2011
TAX YEAR	2011

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 **\$133,786.66** 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 **\$133,786.66**.

June 12, 2013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO VITAL COMMUNICATIONS, INC. FOR THE MAINTENANCE AND SUPPORT OF DATA PROCESSING TAX ASSESSOR SOFTWARE USED BY THE TAX ASSESSOR'S OFFICE

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the data processing tax assessor software used by the Tax Assessor's Office 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, VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611, has submitted a proposal to provide such services for a one year term from July 1, 2013 through June 30, 2014 at a cost of \$43,790.80; and

WHEREAS, VITAL COMMUNICATIONS, 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 VITAL COMMUNICATIONS, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$43,790.80 cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$43,790.80, with VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611 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.

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE VARIOUS COMPUTER EQUIPMENT AND SUPPLIES FROM CDW GOVERNMENT INCORPORATED THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION PRICING SYSTEM; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Enterprise Dr., Suite 404, Shelton, CT 06484 has been awarded Contract MRESC RFB 10/11-41 (technology catalog) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with CDW GOVERNMENT INCORPORATED for the purchase of various computer equipment and supplies; and

WHEREAS, the total amount of this contract, not to exceed \$20,000.00, cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$20,000.00 with CDW GOVERNMENT INCORPORATED, 2 Enterprise Dr., Suite 404, Shelton, CT 06484, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC.
FOR THE REPAIR AND MAINTENANCE OF RADIO COMMUNICATION EQUIPMENT AND
ACCESSORIES**

WHEREAS, there is a need for all Township of Edison Departments to maintain and repair radio communication equipment and accessories; and

WHEREAS, MOTOROLA SOLUTIONS, INC., 5 Paragon Drive, Suite 200, Montvale, NJ 07645 has been awarded State Contract Number A83909 under T-0109/Radio Communication Equipment and Accessories; and

WHEREAS, this will be a two part contract that will cover both maintenance for the infrastructure of the Township's entire radio system and repairs to the portable and vehicle radios which are no longer covered by the maintenance contract due to their age; and

WHEREAS, the maintenance portion of the contract covers all parts and labor as well as a preventative maintenance inspection. This portion of the contract is \$181,017.60; and

WHEREAS, the repairs portion of the contract covers time and materials repairs to the portable and vehicle radios not covered by the maintenance contract. This expense will be capped at a not to exceed amount of \$60,000.00; 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 amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$241,017.60 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., 5 Paragon Drive, Suite 200, Montvale, NJ 07645 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. 83909/T-0109.

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

WHEREAS, bids were received by the Township of Edison on May 3, 2013 for Public Bid No. 13-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

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

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, cannot be encumbered at this time; and

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

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

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

3. All bids have been reviewed, and the bid submitted by DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
4. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$35,000.00 any other necessary documents, with DITTO COPY SYSTEMS as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NPA COMPUTERS, INC. FOR
MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on May 3, 2013 for Public Bid No.13-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, NPA COMPUTERS, INC., 751 Coates Ave., Holbrook, NY 11741, submitted the lowest legally responsible, responsive bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$500.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid submitted by NPA COMPUTERS, Inc., 751 Coates Ave., Holbrook, NY 11741 for Maintenance and Repair of Office Equipment for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$500.00 any other necessary documents, with NPA COMPUTERS, INC. as described herein.

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDWARDS TIRE COMPANY INCORPORATED FOR GOODYEAR TIRES AND TUBES

WHEREAS, there is a need to purchase Goodyear Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82527 under M-8000/WSCA Tires, Tubes and Services; and

WHEREAS, the total amount of this contract, not to exceed \$30,000.00, cannot be encumbered at this time; 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, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$30,000.00 and any other necessary documents, with **EDWARDS TIRE COMPANY INCORPORATED**, P.O. Box 704, Farmingdale, NJ 07727 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. 82527/M-8000.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDWARDS TIRE COMPANY
INCORPORATED FOR BRIDGESTONE/FIRESTONE TIRES AND
TUBES**

WHEREAS, there is a need to purchase Bridgestone/Firestone Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82528 under M-8000/WSCA Tires, Tubes and Services; and

WHEREAS, the total amount of this contract, not to exceed \$100,000.00, cannot be encumbered at this time; 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, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$100,000.00 and any other necessary documents, with **EDWARDS TIRE COMPANY INCORPORATED**, P.O. Box 704, Farmingdale, NJ 07727 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. 82528/M-8000.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO VITAL COMMUNICATIONS, INC. FOR THE MAINTENANCE AND SUPPORT OF DATA PROCESSING TAX ASSESSOR SOFTWARE USED BY THE TAX ASSESSOR'S OFFICE

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the data processing tax assessor software used by the Tax Assessor's Office 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, VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611, has submitted a proposal to provide such services for a one year term from July 1, 2013 through June 30, 2014 at a cost of \$43,790.80; and

WHEREAS, VITAL COMMUNICATIONS, 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 VITAL COMMUNICATIONS, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$43,790.80 cannot be encumbered at this time; and

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

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

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

3. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$43,790.80, with VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611 as set forth above.
4. 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).
5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

6. 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.

**RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE LOCAL COOPERATIVE HOUSING
INSPECTION PROGRAM FOR THE CONDUCT OF HOTEL AND MULTIPLE DWELLING
INSPECTIONS
FROM JULY 1, 2013 TO JUNE 30, 2014**

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 \$33,500 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 \$33,500 for the payment of costs associated therewith.

**RESOLUTION AUTHORIZING A REIMBURSEMENT OF FEES TO RAYMOND ANNUN FOR
DUPLICATE PAYMENT OF RETAIL FOOD ESTABLISHMENT PLAN REVIEW FEES**

WHEREAS, Raymond Annun made an online in the amount of \$100.00 and payment by check of \$100.00 for a total of \$200.00 for a Retail Food Establishment Plan Review for Papa Ji's Pizza, 1670C oak Tree Road License; and

WHEREAS, the fee for Retail Food Establishment Plan review is \$100.00 uired fee for Temporary Retail Food License #120410;

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 \$100.00 to Raymond Annun, 29 Southfield Road, Edison, NJ 08820 which represents the amount of overpayment for Retail Food Establishment Plan Review

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$100.00** are available for the above refund in Account No. **3-01-55-0291-000-000**.

Janice Saponaro
Ond Chief Financial Officer

Date

EXPLANATION: This Ordinance revises the procedures for the issuance of Public Event Permits.

EDISON TOWNSHIP

ORDINANCE

WHEREAS, the Township Council wishes to amend existing Township ordinances regarding the issuance of Public Event Permits.

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, existing Sections 11-18.1 through 11-18.7 shall be deleted in their entirety.

SECTION II. Chapter XI General Licensing and Business Regulations, new Sections 11-18.1 through 11-18.11 shall be inserted as follows:

11-18 PUBLIC EVENT PERMITS.

11-18.1 Definitions.

As used in this section:

"Public entertainment" means any event, including but not limited to a circus, carnival, fair, festival, concert, race, walkathon, parade, exhibition, block party or any mass gathering or other similar event expected to be attended by five hundred (500) or more people at any one (1) time.

"Public event(s)" or "event" means an event involving public entertainment and which may require a road closure as those terms are defined and regulated in This Section.

"Road closure" means regardless of the number of people attending, the event requires the closing of a public street including the placement of temporary No Parking signs or other limitation of the normal and customary use of any public street. A road closure, for the purposes of this Section only, does not include the closure of all or part of a public street due to construction work.

11-18.2 Public Event Permit Required; Prohibitions; Exceptions.

A Public Event Permit shall be required for any public entertainment or for any event which requires a road closure as those terms are defined and regulated in this Section.

a. No person, group of persons, partnership, association or corporation or any similar organization or any combination thereof shall maintain, conduct, promote or operate on any lands or premises within the Township including but not limited to any public parks, streets and private lands, any use thereof for the purposes of public entertainment regardless of whether a fee or admission is charged or voluntary contributions solicited, except pursuant to a Public Event Permit issued by the Township as provided in This Section. This requirement shall not apply to structures that are constructed for such use and where such uses are permitted by law and where such uses occur within the structure, such as theaters, auditoriums, convention centers, conference centers, banquet facilities, and similar structures.

b. No owner, lessee, licensee or other person, partnership, association or corporation having any right to or interest in any real property within the jurisdiction of the Township shall license, rent, lease or otherwise

permit the use of such real property or any part thereof for the purposes of public entertainment regardless of whether a fee or admission is charged or voluntary contributions solicited, except pursuant to a Public Event Permit issued by the Township as provided in This Section. This requirement shall not apply to structures that are constructed for such use and where such uses are permitted by law and where such uses occur within the structure, such as theaters, auditoriums, convention centers, conference centers, banquet facilities, and similar structures.

c. Any event sponsored and conducted by the Township, the County or other similar public entity shall be exempt from obtaining a public event permit or road closure permit under this Section.

11-18.3 Applications; Procedure for Granting Public Event Permit; Fee.

a. A Public Event Permit application shall be made to the Township Clerk upon such form as provided by the Township Clerk and including all the information and documentation as required by This Section by any person, partnership, association or corporation or combination thereof who proposes to maintain, conduct, promote or operate any public entertainment, together with the owner, lessor or licensor who proposes to rent, lease, license or otherwise permit such public entertainment, or who requires any road closure, hereafter designated as the "Applicant." The application shall be accompanied by the required filing fee of:

(i) One thousand dollars (\$1,000.00) for a public entertainment event if the event does not require a road closure, or

(ii) One thousand one hundred and fifty dollars (\$1,150.00) for a public entertainment event if the event requires a road closure, or

(iii) One hundred and fifty dollars (\$150.00) if the application is solely for a road closure.

b. The Applicant shall file the application with the Township Clerk at least one hundred and twenty (120) days before the first day of the public entertainment or road closure. For an application for a yearly or recurring event, an application for any subsequent event shall not be filed prior to sixty (60) days after the completion of the current year's event, by way of illustration, if the event occurs on January 1 each year, and the current year's event is on January 1, 2013 the application for the January 1, 2014 event cannot be filed before March 2, 2013. The Applicant shall not conduct any advertising or any public notification or engage in any similar dissemination of information about the public entertainment or road closure until the Applicant receives a Public Event Permit.

c. The Township Clerk shall ensure the application is complete and once the application is deemed complete by the Township Clerk it shall be transmitted to the Public Events Committee to review the application and make determinations on the issuance of the Public Event Permit so requested as provided in this Section.

d. After the receipt of the determination of the Public Events Committee, the Township Clerk shall issue a Public Event Permit to the Applicant with any conditions imposed by the Public Events Committee or issue a denial as provided in this Section.

11-18.4 Application Information.

A Public Event Permit application shall be made to the Township Clerk upon such forms as provided by the Township Clerk, the application shall be completed as follows, and, the Applicant shall also provide the following information and documentation:

a. The application shall be signed by a persons having proper authorization to do so by the Applicant and the property owner. The person signing the application shall also be the person who will attend the meeting(s) of the Public Events Committee, if such attendance is required by the Committee, and shall also have full authority to act on behalf of and bind the Applicant. If the property owner is the Township of Edison or another public entity such as the County or State a signature shall not be required. However, if the property owner is another public entity such as the County or State, the Applicant shall provide proof of authorization for the use of their property and the holding of the event from such public entity.

b. The Permit application shall include the following information:

1. The Applicant's full name, residence and/or business address (including street address), telephone number and whether such Applicant is an individual, partnership, firm, corporation or a governmental unit or agency of the State or local government.

2. If the property on which the event is to take place is not owned by the Applicant, then the full name, residence and/or business address (including street address), telephone number of the property owners on whose property the proposed event is to take place shall be provided. Additionally, a copy of the lease, license or similar arrangement between the property owner and the Applicant shall be provided.

3. The full name, residence and/or business address (including street address), telephone number of all persons having a financial interest in the event.

4. A statement of the purposes of the event and/or road closure and a program of events scheduled.

5. A diagrammatic sketch plan of the proposed site of the public event and/or road closure showing the locations and dimensions of the proposed service roads, potable water facilities, sanitary facilities (including portable bathrooms), sewage disposal facilities, medical service facilities, distribution of security personnel, parking for attendees and provisions for food storage and food preparation, as well as camping facilities and projected plans for enclosure, if necessary, of the proposed site.

6. Additionally, if a road closure(s) including the placement of temporary No Parking signs or other limitation of the normal and customary use of any public street is requested, a diagrammatic sketch plan of the proposed road closure showing the details of the closure, alternate routes for traffic, alternate parking arrangements if the street normally contains public parking and a written explanation of the timing of the road closure(s), duration of the same and any services that may be requested of the Edison Police and/or Department of Public Works and any other Township resources. A written plan to provide sufficient advanced notice to neighboring properties and/or streets of the road closure and related information, and a copy of the proposed notice.

7. A statement of the number of persons expected to attend such event and the duration of such attendance.

8. The specific details relating to:

(a) Food and drink.

(b) Sanitary facilities.

(c) Transportation and parking facilities. If parking areas or facilities that are not owned by the Applicant or the property owner are to be used, the Applicant shall provide the full name, residence and/or business address (including street address), telephone number of the property owners on whose property the proposed parking areas or facilities are to be located. Additionally, a copy of the lease, license or similar arrangement between the property owner and the Applicant shall be provided. Further, details regarding security for those parking areas or facilities, the manner in which attendees will travel from the parking areas or facilities to the event and like details and a diagrammatic sketch plan as detailed in Section 11-18.4.b.5 shall be provided.

(d) Security and protection of surrounding area, including specific reference to the

number of guards assisting in the control of traffic and supervision of those attending. The details provided shall indicate the number of security guards in shifts to cover the event.

(e) On-site medical facilities and hospital care, if required.

(f) Janitorial services and post-gathering trash removal. The details provided shall indicate the number of janitorial and clean-up personnel in shifts to cover the area prior to the event, during the event and until the area is vacated.

(g) Outline of the action to be taken to ensure the cleanup and restoration of the area at which such event takes place within twenty-four (24) hours after the close of the event;

9. Examples of proposed advertising and/or notice of the event, if any, and the manner of providing the same including but not limited to flyers, newspaper advertisements, mailings, flyers, posters, web site, email blasts or other media.

c. Representatives of the Township, including but not limited to the Divisions of Police and Fire and Department of Health shall be permitted to inspect at any time the site of the event for the purpose of investigating the application and for the purpose of ensuring compliance with the provisions of this Section and the Permit if issued.

d. The Applicant and the property owner, shall execute and attach to the application the hold harmless, defense and indemnification agreement in the form attached to the application form as provided by the Township Clerk.

e. The fee as set forth in subsection 11-18.3 shall accompany each application.

11-18.5 Bond or other financial arrangements.

A surety bond or other suitable financial arrangements (such as a certified check or irrevocable letter of credit in favor of the Township) shall be provided by the Applicant as determined by the Public Events Committee, in consultation with the Township's insurance broker and/or provider, which shall include, at a minimum amounts to cover:

a. Clean up and restoration of the area at which such event takes place within twenty-four (24) hours after the close of the event, and/or,

b. Payment to the Township for any Township services and/or equipment which may be required by the Township if the applicant fails to provide the appropriate services required for the event as generally described in Section 11-18.4(b) and as determined by the Public Events Committee.

11-18.6 Insurance.

An insurance policy covering liability, personal property and bodily damage shall be provided in such amounts to be fixed by the Public Events Committee, in consultation with the Township's insurance broker and/or provider. Such insurance policy shall name the Township of Edison, its officials, agents, servants and employees as additional insureds.

11-18.7 Hours of Operation.

a. All public entertainment events shall cease operations no later than 10:00 p.m.

b. All Applicants shall be subject to the Edison Noise Regulations found in Code Section 12-27 except the hours for loudspeakers and public address systems may be extended to 11:00 p.m. if permitted by the Public Events Committee.

11-18.8 Compliance with the Township Ordinances and other laws.

a. All Applicants shall be subject to Edison Township zoning and/or planning ordinances and all Applicants shall secure necessary approvals from Edison Township Zoning Officer, Zoning and/or Planning Boards if required.

b. All Applicants shall comply with all other Edison Township Ordinances, and/or other governmental laws, rules and regulations, including but not limited to: the cost for rental of Township parks and/or facilities, Fireworks Permit, fire and/or health inspections, permits and certificates. The application for, and or issuance of, a Public Events Permit or road closure permit shall not operate to satisfy the requirements of any other Edison Township Ordinances, and/or other governmental laws, rules and regulations.

c. All Applicants shall comply with all other local, county, state and federal, laws, rules and regulations.

11-18.9 Public Events Committee, Review of Applications.

a. The Public Events Committee ("Committee") shall consist of the Business Administrator or his/her designee who shall be the Chairperson of the Committee ("Chairperson"), the Chief of Police or designee, the Fire Chief or designee, the Fire Inspector or designee, the Director of the Department of Health or designee, and the Director of the Department of Public Works or designee Director of Recreation or designee , which members shall be known as the permanent members of the Committee. The Chairperson may appoint other individuals to the Committee as the Chairperson sees fit.

b. The purpose of the Committee is to review all applications for Public Event Permits and/or road closures. The Committee may meet as many times as deemed necessary by the Chairperson. The Committee may request the Applicant, property owner or others to attend any Committee meeting. The Committee may require other information and/or documentation from an Applicant in addition to the information and documentation required by this Section.

c. Once the Township Clerk deems an application complete, the Township Clerk shall forward a complete copy of the application to all permanent members of the Committee, and the Chairperson shall provide the same to any other individual the Chairperson appoints to the Committee. The permanent members of the Committee and any individual person appointed by the Chairperson, shall meet with one (1) week of the receipt of the complete application from the Clerk at a day and time determined by the Chairperson. At such meeting the Chairperson shall determine a date upon which all members of the Committee shall provide written comments to the Chairperson which date shall be not later than sixty (60) days before the event. The written comments shall include at a minimum any required or reasonably anticipated Township manpower and/or equipment and a calculation of the cost of the same; and any additional services and/or procedures to be supplied by the applicant which may or may not have been included in the applicant's application. Thereafter the Chairperson may call additional meeting(s) of the Committee, and may require the attendance of the applicant at such meeting(s), or may issue the Committee's decision on the issuance or denial of the Permit to the Township Clerk.

d. The standard for the review and/or issuance of a permit pursuant to this Section shall include, but not be limited to the following:

1. That the proposed event will not unreasonably interfere with or detract from the general public enjoyment of the public park, property or roadway to be utilized.

2. That the proposed event will not unreasonably interfere with or detract from the public health, welfare and safety.

3. That the proposed event or uses that are reasonably anticipated will not be likely to include violence, crime or disorderly conduct.
4. That the Township park and/or facilities or public street desired have not been reserved for other use at the date and hour requested in the application.
5. If Township manpower and/or equipment is required, that the proposed event will not unreasonably interfere with or detract from the normal operation of the Township.
6. The failure of the Applicant to cooperate with the Committee, including attending meetings of the Committee if so required, providing additional information and/or documents if so required and should the Committee determine that any information and/or documentation provided by the Applicant is false or misleading for the present application or for prior events, or for other good cause, the Committee shall deny the application.
7. The failure of the Applicant to comply with any conditions imposed by the Committee for prior events and/or road closures, shall be a basis to deny the present application.
8. The Committee may deny an application if it finds that a prior event and/or road closure was adverse to the public health safety or welfare, or violated any of the provisions or purposes of this Section or other laws, rules or regulations, or the individuals involved in such prior event and/or road closure are involved with the present application for a different event and/or road closure.
9. The Committee may deny an application if it finds the event and/or road closure is in close physical proximity to another event or is sufficiently close in time to another event to create an undue imposition on the resident affected by the proposed event and/or impact upon the Township's operations should Township manpower and/or equipment be required.
10. Should the Committee receive two or more applications for an event and/or road closure on the same date, time and location, the Committee shall give preference to the applicant who is an Edison individual or group. The Committee may consider any other impact or benefit in coming to its decision.

e. The required insurance and bond or other financial arrangements as required by this Section shall be determined by the Committee, and shall be provided in writing to the Applicant, and unless otherwise specified by the Committee shall be posted at least thirty (30) days prior to the event and/or road closure and prior to the issuance of the Permit, in a form acceptable to the Township and no Permit will be issued to the Applicant until such requirements have been met. The failure of the Applicant to comply with such requirements shall result in the Permit being denied. The Chairperson shall be responsible to ensure compliance with such requirements unless the Chairperson designates such responsibility to another individual.

f. Any required reimbursement for Township manpower and/or equipment costs as required by this Section shall be determined by the Committee, and shall be provided in writing to the Applicant, and unless otherwise specified by the Committee shall be submitted to the Chairperson at least thirty (30) days prior to the event and/or road closure and prior to the issuance of the Permit, in a form acceptable to the Township and no Permit will be issued to the Applicant until such requirements have been met. The failure of the Applicant to comply with such requirements shall result in the Permit being denied. The Chairperson shall be responsible to ensure compliance with such requirements unless the Chairperson designates such responsibility to another individual.

g. The Committee may impose any conditions, and shall be provided in writing in writing to the Applicant, upon an event and/or road closure as in its estimation will protect the health, safety and/or welfare of the Township, its residents and the general public, or will offset any impact upon the Township's manpower and/or equipment if required for the event and/or road closure, and/or to protect any Township park, facility or public street

involved. Unless otherwise specified by the Committee these conditions shall be complied with and all required documentation shall be submitted to the Chairperson at least thirty (30) days prior to the event and prior to the issuance of the Permit, and in a form and/or manner acceptable to the Township and no Permit will be issued to the Applicant until these requirements have been met. The failure of the Applicant to comply with these requirements shall result in the Permit being denied. The Chairperson shall be responsible to ensure compliance with such requirements unless the Chairperson designates such responsibility to another individual.

h. Upon a final determination of the Committee to issue or deny a permit, the Committee's entire file, including, reports of Committee members as referenced in Section 11-18.9(c), additional documentation submitted by the applicant, the applicant's bond as required in Section 11-18.5, any other Township related permits or approvals, including applications for the same such as a fireworks permit or rental of a Township park, and other related documentation, shall be transmitted to the Clerk and shall be the official file of the Committee.

11-18.10 Appeal Process.

The denial of a Public Event Permit or any conditions of a permit, shall be appealable to the Edison Township Council no later than ten (10) days from the date the Township Clerk's issuance of a denial of the Permit, or, approval of the Permit with the conditions imposed by the Committee, and shall be filed with the Clerk's Office. The Township Council will rule on the appeal within thirty (30) days of receipt of the same. The Township Council may deny the appeal, approve the appeal, and/or modify any requirement or condition of the Committee or of the Permit. Subsequent appeals may be taken to a court of competent jurisdiction.

11-18.11 Violations, Penalty.

a. Violations. In addition to the denial of a Permit by the Committee as set forth herein, it shall also be a violation for any person to:

1. Commence or conduct an event without a permit; or
2. Fail to comply with any requirement or provision for a Public Event Permit and/or road closure as required by this Section or by the Permit if so issued.

b. Penalty. A person who violates a provision of this chapter shall be guilty of a separate offense for each day or part thereof during which the violation is committed or continued. Each offense shall be punishable by a fine not to exceed two thousand dollars (\$2,000.00).

c. The violation and penalty provisions of the Section shall be enforced by the Business Administrator by the initiation of a complaint in municipal court.

d. The violation and penalty provisions of this Section shall not be construed to limit any other Township representative, law enforcement officer or other officer or individuals from the enforcement of any other Township regulations and/or other law, rule or regulation. Additionally, the violation and penalty provisions of this Section shall not be construed to limit any right the Township, Township representatives, law enforcement officers or other officers or individuals have to bring any action in any other court or forum of competent jurisdiction.

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

Explanation: An Ordinance approving a Rights of Way Use Agreement with United Fiber and Data, LLC for the use of public rights of way for the installation of telecommunication lines and facilities.

TOWNSHIP OF EDISON

ORDINANCE

WHEREAS, United Fiber and Data, LLC is a telecommunications company which possesses the required approval from the New Jersey Board of Public Utilities and is requesting consent from the Township pursuant to N.J.S.A. 48:2-14 to use its rights of way as proposed in the attached Rights of Way Use Agreement; and

WHEREAS, United Fiber and Data will, in part, be providing service to I.O. Data Centers which is located on the property designated as Block 795-D, Lot 22B-8, 3003 Woodbridge Avenue, Siemens, which is located at 170 Wood Avenue S., and BNP Paribas, which is located at 485 US Highway, each of which is a company which is in need of telecommunication lines and services to operate its business which United Fiber & Data, LLC will be providing; and

WHEREAS, as the Township is authorized to grant such consent pursuant to N.J.S.A. 48:3-11 et seq..

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

1. The attached Rights of Way Use Agreement with United Fiber and Data LLC is hereby approved by the Township Council and the Mayor is hereby authorized to execute the attached Rights of Way Use Agreement.
2. The Mayor, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the Rights of Way Use Agreement and all other documents and undertake all actions reasonably necessary to effectuate the Rights of Way Use Agreement approved herein.

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

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

EDISON TOWNSHIP

ORDINANCE

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 ~~a firm, copartnership, association and corporation,~~ 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. ~~means a public vehicle driven by mechanical power so designed and constructed as to comfortably seat not less than three (3) persons inside thereof, exclusive of the driver, which accommodates passengers for conveyance for hire.~~

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 Director-Chief of Police. The Director-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 applicants-applicant's fitness for the issuance of any license hereunder.

b. General Jurisdiction and Responsibility of Bureau of Licenses and PermitsTownship Clerk. The Bureau of Licenses and PermitsTownship 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 Bureau of Licenses and PermitsTownship Clerk shall issue such license after the Director-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; ~~Expiration; Annual Fee.~~

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.No person shall operate or permit a taxicab owned or controlled by him or her to be operated as a taxicab upon the streets of the Township or within the confines of the Edison Township Train Station unless the owner of the vehicle shall first obtain written approval for a taxicab license from the Director of Police.

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.

~~— c. — All taxicab licenses shall be issued by the Bureau of Licenses and Permits and approved and signed by the Director of Police and shall be issued to expire December 31, next exceeding the date of issuance unless it is sooner suspended or revoked by the Director of Police.~~

~~— d. — The annual fee to be paid for a taxicab license to operate a taxicab business whose principal place of business is within Edison Township shall be the sum of one hundred fifty (\$150.00) dollars. A taxicab business whose principal place of business is not located within the Township of Edison desiring to operate within Edison Township, shall pay the annual fee of two hundred and fifty (\$250.00) dollars to obtain a taxicab license to operate within Edison Township.~~

11-30.4 Applications for ~~Taxicab Licenses; Rate Changes.~~

~~a. Applications for any form of licenses for taxicabs shall be made by the owner, lessee or bailee thereof, upon forms approved by the Director/Chief of Police and to be furnished by the Bureau of Licenses and Permits 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. Such application shall contain the full name, business location and address of the owner, lessee or bailee and also of the applicant, the type of vehicle for which the license is desired, the length of time the vehicle has been in use, the rate to be charged and the number of persons it is capable of carrying; the application shall have affixed thereto an affidavit to be sworn to by the applicant.~~

~~11-30.5 — Administering Official Authorized to Grant or Refuse Taxicab Licenses.~~

~~— The Director of Police shall have the power to authorize the suspension or reinstatement of any license issued under this section.~~

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 Taxicabs as permitted herein, provided that each Taxicab is licensed as provided herein. The holder of a Taxicab Owner's License shall be permitted to license Taxicabs Vehicles up to the number of Taxicabs Vehicles as provided herein. There is no limit on the number of Taxicab Owner's License that will be issued, however, 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 Vehicle therein described in the Township by a driver licensed hereunder. The license issued for an individual Taxicab Vehicle is only for that specific Taxicab Vehicle and shall not be transferred to another Taxicab Vehicle or Taxicab Owner. The Township will issue up to sixty (60) Taxicab Vehicle Licenses. There is no limit on the number of Taxicab Vehicle Licenses that a person holding a Taxicab Owner's License will be issued, however, any person who holds or controls any Taxicab Owner's License shall actively use any Taxicab Vehicle License issued to that business, or the Taxicab Vehicle License shall be revoked.

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 ~~Director~~ 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 ~~Director~~ 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 ~~Taxicab~~ Licenses ~~Card~~; Posting Required.

a. The Bureau of Licenses and Permits Township Clerk, upon approval of the taxicab for a license a Taxicab Driver's License, Taxicab Owner's License or Taxicab Vehicle License, shall issue to the applicant a card approved by the Director/Chief of Police. A card for a Taxicab Driver's License of Taxicab Owner's License shall bearing 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, the license number of the taxicab being given. 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 license shall be required to be affixed to a conspicuous and indispensable part of the interior of each taxicab a small card not exceeding six (6) inches nor less than four (4) inches in dimension, which shall bear the license number of the vehicle and name and photo of the driver. 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 y 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 ~~Fees~~ Fares.

The operator of a taxicab shall be required to post a Fee Chart (not exceeding 8 1/2 x 11 ") in the passenger portion of the cab which is plainly visible and which advertises the operator's fare schedule throughout the Township. 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.

a. In order to ensure the safety of the public, it is unlawful for the owner, lessee or bailee of any taxicab to operate or cause or permit such taxicab to be operated, nor shall any license be issued hereunder, until and unless the applicant shall have complied with the provisions of the statute in such case made and provided and the acts amendatory thereof or supplemental thereto. Before any license is issued, the applicant shall post with the Township Clerk in accordance with N.J.S.A. 48:16-3, a certificate of insurance of an insurance company duly licensed in the State of New Jersey showing liability coverage for personal injuries of fifty thousand (\$50,000.00) dollars for any one (1) person and one hundred thousand (\$100,000.00) dollars for two (2) or more persons and property damage of

~~fifty thousand (\$50,000.00) dollars. In the event the taxicab owner operates more than one (1) taxicab within the Township, the owner may post a blanket bond in the amount of fifty thousand (\$50,000.00) dollars pursuant to N.J.S.A. 48:16-4.~~

~~— b. — Taxicabs whose principal place of business is not located within Edison Township shall be permitted to operate within the Township provided they meet the Edison Township insurance requirements in paragraph a. above.~~

~~Each applicant for a Taxicab Owner's License shall, together with his/her application, submit the insurance policy or certificate in lieu thereof, showing coverages in the amount of:~~

~~1. one hundred thousand (\$100,000.00) dollars per person and three hundred thousand (\$300,000.00) dollars per occurrence to satisfy all claims for damages on account of bodily injury or death suffered by any person as a result of an accident occurring by reason of the ownership, maintenance or use of the taxicab upon any public street; and,~~

~~2. five thousand (\$5,000.00) dollars to satisfy any claim for damages to property of any one (1) person resulting from an accident and a sum of not less than ten thousand (\$10,000.00) dollars to satisfy all claims for damages to property of all persons on account of such accident by reason of the ownership, operation, maintenance or use of such taxicab upon any public street,~~

~~or in the amount as required by N.J.S.A. 48:16-3, whichever is greater; 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 ~~Operators~~Owners.

~~The owner of the taxicab shall execute and deliver to the Township Clerk a power of attorney, wherein and whereby the owner shall appoint the Director of Finance of the municipality as his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy or bond filled pursuant to N.J.S.A. 48:16-3 and 48:16-4. 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 ~~Bureau of Licenses and Permits~~ Township Clerk shall keep a register of ~~the name of such person owning or operating a vehicle or vehicles licensed under this section, together with the license number and description, make~~

~~and dimensions of such vehicles and the date of issuance~~ 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 ~~Taxicab~~ Licenses.

a. — Licenses granted under the preceding subsections may be revoked ~~or suspended~~ at any time by the ~~Director~~ 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 ~~Director~~ 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 ~~Director~~ Chief of Police shall cause a background check to be completed in a manner consistent with ~~the law 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 ~~Director~~ Chief of Police.

11-30.16 ~~Taxicab Driver's~~ 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 ~~Bureau of License and Permits~~ Township Clerk and approved by the ~~Chief of Police~~ Director, for a taxicab driver's license, paid the required fee and shall have procured such license from the ~~Bureau of License and Permits~~ 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 ~~Bureau of Licenses and Permits~~ 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 another municipality 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 ~~Bureau of Licenses and Permits~~ 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.

be. The ~~Director~~ 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.

5. If the address from which the Applicant/Owner intends to conduct the operation of the taxicab business sought to be licensed is within the Township of Edison, the Applicant shall also secure a Zoning Permit indicating that the taxicab business use is permitted at such location and complies with all applicable zoning requirements or has received the appropriate approvals (such as variances, etc.) prior to the processing of the Taxicab Owner's License.

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 for taxicab use 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.
3. If the address from which the Applicant/Owner intends to conduct the operation of the taxicab business sought to be licensed is within the Township of Edison, and the Applicant has not secured a Zoning Permit indicating that the business is permitted at such location prior to the processing of the Taxicab Owner's License as required herein.

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.

11-30.17 Issuance of ~~Driver's~~ License; ~~Term~~ Suspension — ~~Taxicabs~~.

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 ~~Bureau of Licenses and Permits~~ Township Clerk to the applicant ~~a taxicab driver's~~ the requested license which shall contain a photograph and signature of the licensee. Any license so issued may be suspended upon recommendation of the ~~Police~~ 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 ~~Taxicab Driver's~~ Licenses.

a. A driver, in When applying for the a renewal of his or her any license required by this Section, the holder of such license shall make such application upon a form to be furnished by the Bureau of Licenses and Permits Township Clerk. The Director-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 ~~Taxicab Driver's~~ Licenses.

a. The sum of ~~fifty (\$50.00)~~ one hundred dollars (\$100.00) shall be charged for the issuance of each ~~driver's license~~ Taxicab Driver's License or the renewal thereof.

b. The sum of one thousand dollars (\$1,000.00) shall be charged for the issuance of each Taxicab Vehicle License or the renewal thereof.

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

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

11-30.21 ~~Prices 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 Bureau of Licenses and Permits Township Clerk and approved by the Director-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 License-~~Taxicabs~~.

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 ~~vehicle or vehicles~~. 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 ~~except during such hours and over such routes as the Director of Police may determine~~; 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. No Taxicab Vehicle, whether licensed or unlicensed, when not in service, shall be parked on any street or on any property except that of a licensed Taxicab Owner's approved place of business per Section 11-30.16.B.a.5. However, short breaks during the shift of a Taxicab Driver or the repair of a Taxicab Vehicle at a garage or service station shall not be considered being parked under this section.

u. 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.

~~—Any person not having been duly licensed as a taxicab driver or any person whose license as such driver has been revoked or suspended and who, during the time such revocation or suspension is in effect, drives for hire any vehicle upon the streets of this Township, or who shall violate any other provision of this section, shall, upon conviction thereof, be liable for the penalty stated in Chapter I, Section 1-5 of this Code.~~

~~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 ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
LANDSCAPING BY ANTHONY, INC. FOR LAWN SERVICE FOR THE TOWNSHIP OF EDISON
LIBRARIES**

WHEREAS, quotes were solicited by the Township of Edison Libraries and approved by the Libraries Board of Trustees for lawn service at the Libraries for the 2013 Season; and

WHEREAS, LANDSCAPING BY ANTHONY, INC. 38 New Brooklyn Rd., Edison, NJ 08817 submitted the lowest quote in the amount of \$6,300.00; and

WHEREAS, the total amount of this contract/purchase order, not to exceed \$6,300.00, cannot be encumbered at this time; and

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

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

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

1. All quotes have been reviewed, and the quote as submitted by LANDSCAPING BY ANTHONY INC., 38 New Brooklyn Rd., Edison, NJ 08817 for Lawn Service for the Township Libraries is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$6,300.00 and any other necessary documents, with LANDSCAPING BY ANTHONY INC.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Township of Woodbridge as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$558,610.68.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH WOODBRIDGE TOWNSHIP**

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$18,111.67 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Woodbridge Township's Department of Planning & Development as project sponsor, who will administer the HOPWA Grant program in the following MSA areas: Middlesex and Somerset Counties; and

WHEREAS, Woodbridge Township will receive a total allocation of \$558,610.68 for the 2013 program year of which \$544,617.93 will be used for rental assistance and 7 percent or \$40,992.75 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Department of Planning & Development**, Township of Woodbridge, 1 Main Street, Woodbridge, NJ 07095, in an amount not to exceed \$558,610.68 to administer the HOPWA Grant in Middlesex and Somerset Counties, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Monmouth County Human Services Department, as a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$457,841.08.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH MONMOUTH COUNTY.**

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$14,160.03 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Monmouth County Department of Human Services, project sponsor, who will administer the HOPWA Grant program in the following MSA area: Monmouth County; and

WHEREAS, Monmouth County Division of Social Services will receive a total allocation of \$457,841.08 for the 2013 program year of which \$425,792.20 will be used for rental assistance and 7 percent or \$32,048.88 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Monmouth County Department of Human Services**, Kozolski Road, PO Box 3000, Freehold, NJ 07728, in an amount not to exceed \$457,841.08 to administer the HOPWA Grant in Monmouth County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Ocean County Board of Social Services, a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$319,424.01.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH OCEAN COUNTY.**

WHEREAS, as authorized by the AIDS Housing Opportunities Act and mended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2010 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$9,879/09 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Ocean County Board of Social Services, a project sponsor, who will administer the HOPWA Grant program in the following MSA areas: Ocean County; and

WHEREAS, Ocean County Board of Social Services will receive a total allocation of \$319,424.01 for the 2013 program year of which \$297,064.33 will be used for rental assistance and 7 percent or \$22,359.68 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Ocean County Board of Social Services**, 1027 Hooper Avenue, PO Box 547, Toms River, NJ 08754-0547, in an amount not to exceed \$319,424.01 to administer the HOPWA Grant in Ocean County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

EXPLANATION: A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: MIDDLESEX COUNTY FUTURE WASTEWATER SERVICE AREA MAP.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township of Edison desires for the orderly development of wastewater facilities within the Lower Raritan–Middlesex County Water Quality Management (WQM) area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 6, 2013 for a Proposed Amendment to the Lower Raritan-Middlesex County Water Quality Management Plan entitled: Middlesex County Future Wastewater Service Area Map has been prepared by the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON on this 12th day of June, 2013, that:

1. The Township of Edison hereby consents to the amendment entitled Middlesex County Future Wastewater Service Area Map and publicly noticed on May 6, 2013, prepared by the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment, for the purpose of its incorporation into the applicable WQM plan(s);
2. This consent shall be submitted to the NJDEP in accordance with NJAC 7:15-3.4 and the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment.

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by 136 Talmadge Road LLC. for the Planning Board application No Z77-09/10.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by 136 Talmadge Road LLC for a project located at 136 Talmadge Road , Edison, N.J. 08817 in Block 22, Lot 11B.1 under Application #Z77-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on August 20, 2010, 136 Talmadge Road LLC posted fees on deposit with the Township of Edison in the account # 7760296105 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 371.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to 136 Talmadge Road LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$371.25 plus accrued interest, if applicable, be refunded to 136 Talmadge Road LLC, 100 Woodbridge Center Drive, Woodbridge, N.J 07095;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 371.25, plus accrued interest, if applicable, in account #7760296105 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296105

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Fords Corner for the Planning Board application No. P-5146.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Fords Corner for a project located at Amboy Avenue, N.J. 08817, in Block 81, Lot 39,40,41, under Application #P-5146; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

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

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, 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; and

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, N.J. 08852;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 581.25 plus accrued interest, if applicable, 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 Developers Escrow Fees posted by Fords Corner, LLC, for the Planning Board application No P5135, #P31-09/10.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Fords Corner, LLC for a project located at Amboy Avenue , Edison, N.J., in Block 718, Lot 1D,1E,1F, under Application #P5135, #P31-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on December 13, 2010, Fords Corner, LLC posted fees on deposit with the Township of Edison in the account # 7760296117 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$2,075.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Fords Corner LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,075.00 plus accrued interest, if applicable be refunded to Ford Corner, LLC, 100 Woodbridge CTR Drive, Woodbridge, N.J 07095;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 4270.01, plus accrued interest, if applicable, in account #7760296117 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296117

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by T. Mobile USA for the Planning Board application No P22-09/10.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by T-Mobile USA for a project located at 5 Sunfield Avenue, Edison, N.J. 08817, in Block 395, Lot 30, under Application #P22-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on December 18, 2009 T- Mobile USA posted fees on deposit with the Township of Edison in the account # 7760296051 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$573.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to T-Mobile USA; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$573.50 plus accrued interest, if applicable, be refunded to T-Mobile USA., 12920 -SE 38th Street, Bellevue, WA 98006;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$573.50, plus accrued interest, if applicable, in account #7760296051 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296051

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Anton Nader for the Planning Board application No Z35-2012.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Anton Nader for a project located at Route One South, Edison, N.J. 08817, in Block 177, Lot 31, under Application #Z35-2012; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 17, 2012, Anton Nader posted fees on deposit with the Township of Edison in the account # 7760296206 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$2,610.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Anton Nader; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,610.00 plus accrued interest, if applicable, be refunded to Anton Nader ,19 charlotte Hill Drive, Bernardsville, N.J 07924;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 2,610.00, plus accrued interest, if applicable, in account #7760296206 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296206

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Robert Lamb. for the Planning Board application No P26-09/10.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Robert E. Lamb for a project located at 8 Olsen Avenue, Edison, N.J. 08820, in Block 590, Lot 17, under Application #P26-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on March 8, 2010 Robert E Lamb posted fees on deposit with the Township of Edison in the account # 7760296062 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$41.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Robert E. Lamb; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$41.25 plus accrued interest, if applicable, be refunded to Robert E. Lamb, P.O. Box 821, Valley Forge, PA 19482;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$41.25, plus accrued interest, if applicable, in account #7760296062 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296062

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Day Pitney for the Planning Board application No Z56-2011.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Day Pitney LLP, for a project located at 17 Cinder Road , Edison, N.J. 08817, in Block 643.DD, Lot 15B.1, under Application #Z56-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 22, 2011 - Day Pitney LLP posted fees on deposit with the Township of Edison in the account # 7760296158 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 62.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Day Pitney LLP; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$67.50 plus accrued interest, if applicable, be refunded to Day Pitney LLP, One Jefferson Road, Parsippany N.J. 07054;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$67.50, plus accrued interest, if applicable, in account #7760296158 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296158

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Henkels and McCoy Inc. for the Planning Board application No P29-09/10.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Henkels and McCoy Inc., for a project located at 234 Pierson Avenue, Edison, N.J. 08817, in Block 795, Lot 1B.4 & 3.A, under Application #P29-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on July 10, 2010 Henkels and McCoy, Inc. posted fees on deposit with the Township of Edison in the account # 7760296098 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 173.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Henkels and McCoy Inc.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$173.50 plus accrued interest, if applicable, be refunded to Henkels and McCoy Inc., 985 Jolly Road, Blue Bell, PA 09422;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$173.50, plus accrued interest, if applicable, in account #7760296098 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296098

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by KIF Property Trust for the Planning Board application No P5-2011.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by KIF Property Trust for a project located at 3003 Woodbridge Avenue, Edison, N.J., in Block 795D, Lot 22.10 & 22.11, under Application #P5-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on May 25, 2011, KIF Property Trust posted fees on deposit with the Township of Edison in the account # 7760296140 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$4,270.01 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to KIF Property Trust; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$4,270.01 plus accrued interest, if applicable, be refunded to KIF Property Trust, 300 Barr Harbor Drive, Conshohocken, PA 19428;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 4270.01, plus accrued interest, if applicable, in account #7760296140 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296140

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by KIF Property Trust for the Planning Board application No P01-08/09.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by KIF Property Trust for a project located at 3003 Woodbridge Avenue, Edison, N.J. in Block 795D, Lot 22.B7 & 22.B8, under Application #P01-08/09; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 5, 2008 , KIF Property Trust posted fees on deposit with the Township of Edison in the account # 7760295969 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$500.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to KIF Property Trust; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$500.00 plus accrued interest, if applicable, be refunded to KIF Property Trust, 300 Barr Harbor Drive, Conshohocken, PA 19428;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 500.00, plus accrued interest, if applicable, in account #7760295969 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760295969

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Clifford Kuhn for the Planning Board application No Z10-2011.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, the Township Planning Board Secretary advises that the Developer Escrow Fees posted by Clifford Kuhn for a project located at 1701 Oak Tree Road, Edison, N.J.08820 in Block 643, Lot 20.G, under Application # Z10-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on March 1, 2011, Clifford Kuhn posted fees on deposit with the Township of Edison in the account # 7760296129 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$163.75 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Clifford Kuhn; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$163.75 plus accrued interest, if applicable, be refunded to Clifford Kuhn, 2300 Woodbridge Avenue, Edison, N.J. 08817;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$163.75, plus accrued interest, if applicable, in account #7760296129 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7760296129

EXPLANATION: Resolution Releasing Performance Guarantee on Site Plan Improvements, under Application No. P25-09/10, Plainfield Country Club – Phase I – Pool Complex.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Plainfield Country Club-(Phase I) Pool Complex, under Application No. P25-09/10, located at 1591 Woodland Avenue, Block 415, Lot (s) 1, 2, 3, 7A, 9C ,9H-1, 9E-4, 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 Certificate of Occupancy was issued on May 23, 2011, and since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No. BCY1859194 of Hanover Insurance Company posted on September 21, 2010 in the amount of \$350,195.40 with the Township of Edison, principal being Plainfield Country Club and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #1596773 posted on September 21, 2010 in the amount of \$38,910.60, plus accrued interest, if applicable, on deposit in account #7761417018 with the Township of Edison, principal being Plainfield Country Club having offices at 1591 Woodland Ave Edison, N.J. 08820, and acceptance of the subject improvements;

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 \$350,195.40 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 \$38,910.60 plus accrued interest, if applicable, on deposit in account #7761417018 to the applicant.

EXPLANATION: Resolution Refunding Unused Portion of Engineering Inspection Fees on Site Plan, under Application No. P25-09/10, Plainfield Country Club, Phase I – Pool Complex.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of Plainfield Country Club (Phase I) Pool Complex, located at 1591 Woodland Avenue, in Block 415, Lot(s) 1, 2, 3, 7A, 9C, 9H1, 9E4, under Application No. P25-09/10; and

WHEREAS, the applicant was required to post engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, on September 24, 2010, Plainfield Country Club, posted inspection fees in the amount of \$18,212.75 on deposit with the Township of Edison in account #7760296111 for engineering fees; and

WHEREAS, the applicant has now requested the return of the unused portion of engineering inspection fees, as provided by law; and

WHEREAS, the sum expended for engineering inspections totals \$18,040.09; and

WHEREAS, it is in now in order that the sum of \$172.66, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Plainfield Country Club;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$172.66, plus accrued interest, if applicable, be refunded to Plainfield Country Club having offices at 1591 Woodland Ave, N.J. 08820; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$172.66, plus accrued interest, if applicable, in account #7760296111 to the applicant.

JAM/kjw

S-Karen-RetResoInspFeeRefund-PlainfieldCountryClub-PoolComplex

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at the Plainfield Country Club, as required under Application No. P25-09/10, for Phase I Improvements, known as the Pool Complex, and under Tree Permit No.10-111.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on May 13, 2011 Plainfield Country Club, located at 1591 Woodland Avenue, posted Tree Maintenance Bond fees in the amount of \$8,175.00 on deposit with the Township of Edison in account #7760275124 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond under Tree Permit No. 10-111, for, Phase I Improvements, the Pool Complex; 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 \$8,175.00 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 \$8,175.00 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 \$8,175.00 plus accrued interest, if applicable, on deposit in Account #7760275124 to Plainfield Country Club having an address of 1591 Woodland Ave, Edison, N.J. 08820.

EXPLANATION: AMENDMENT TO RESOLUTION R. 169-032013 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2013 AMENDED CONSOLIDATED ANNUAL ACTION PLAN

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

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2013 Community Development Block Grant in the amount of Five Hundred Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810);

WHEREAS, the Township can budget a total of Five Hundred Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810) to fund eligible 2013 activities that are attached and listed on the Amended Proposed Summary of FY13 Annual Action Plan Allocations, that will be carried out during the 2013 Program Year;

WHEREAS, A Public Hearing was held on February 7, 2013 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2013;

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

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2013 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 Five Hundred Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810), which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY13 Annual Action Plan Allocations and listed in the 2013 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY13 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2013 Consolidated Annual Plan.

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

EXPLANATION: AMENDMENT TO RESOLUTION R.170-032013 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON AMENDING THE FISCAL YEAR 2013 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FORMULA PROGRAM GRANT THROUGH THE FILING OF THE AMENDED FISCAL YEAR 2013 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 2013 Housing Opportunities for Persons with AIDS (HOPWA) Formula Program Grant in the amended amount of One Million, Four Hundred Five Thousand, Twenty Seven Dollars (\$1,405,027); 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 Five Thousand, Twenty Seven Dollars (\$1,405,027) to fund eligible 2013 activities that will be carried out during the 2013 Program Year; and

WHEREAS, A Public Hearing was held on February 7, 2013 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2013; and

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

Section 1. The amended application for the Housing Opportunities for Persons with AIDS (HOPWA) Formula Grant Program for Fiscal Year 2013 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 amended application for One Million, Four Hundred Five Thousand, Twenty Seven Dollars (\$1,405,027), 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 2013 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 REJECTING ALL BIDS FOR FROST AVENUE EAST CORRUGATED METAL PIPE
REHABILITATION**

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on May 2, 2013, for Public Bid No. 13-28-01, FROST AVENUE EAST CORRIGATED METAL PIPE REHABILITATION with a bid opening date of May 29, 2013; and

WHEREAS, there were two bidders; one bid was rejected due to failure to complete the stockholders form correctly and the price of the other bid was a total of \$473,960.00 which substantially exceeds the cost estimate; and

WHEREAS, Section 40A:11-13.2 of the Local Public Contracts Law allows for the rejection of all bids; and

WHEREAS, The Township of Edison desires to reject all bids under Section 40A11-13.2a - the lowest bid substantially exceeds the cost estimate for the goods or services.

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

1. The bids for Public Bid No.13-28-01 - FROST AVENUE EAST CORRIGATED METAL PIPE REHABILITATION are hereby rejected pursuant to N.J.S.A 40A:11-13.2a.
2. The Purchasing Agent is hereby authorized to rebid said project.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR DIESEL FUEL FOR
THE FUEL-GASOLINE AND DIESEL CONTRACT WITH ALLIED OIL
LLC, IN AN AMOUNT NOT TO EXCEED \$150,000.00**

WHEREAS, ALLIED OIL, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 was awarded Contract No. 12-12-06A, FUEL-GASOLINE AND DIESEL for diesel fuel on June 27, 2012 through Resolution R.388-062012 for a one year period effective July 23, 2012 in the amount of \$500,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; and

WHEREAS, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Township recommends that this contract in the amount not to exceed \$150,000.00 be extended with the price as well as all terms and conditions to remain the same until the new contract becomes effective; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or her designee, is hereby authorized to extend the contract in the amount of \$150,000.00 with ALLIED OIL, LLC, as described herein.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE
A TORO GROUNDSMASTER 4000-D FROM STORR TRACTOR
COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL
SERVICES COMMISSION COOPERATIVE PRICING SYSTEM**

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION PRICING SYSTEM; and

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of a Toro Groundsmaster 4000-D in the amount of \$55,303.20 for the Department of Public Works under this Cooperative Pricing System; and

WHEREAS, funds in the amount of \$55,303.20 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001.

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 and any other necessary documents, in the amount of \$55,303.20 with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$55,303.20** are available for the above contract in Account No. **C-04-12-1817-370-001**.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) TORO POLAR TRAC WINTER CABS FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION PRICING SYSTEM; and

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of two (2) Toro Polar Trac Winter Cabs under this Cooperative Pricing System at a price of \$14,730.58 each for a total of \$29,461.16 for the Department of Public Works; and

WHEREAS, funds in the amount of \$29,461.16 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001.

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 and any other necessary documents, in the amount of \$29,461.16 with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$29,461.16** are available for the above contract in Account No. **C-04-12-1817-370-001**.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) COMMERCIAL TORO GROUNDSMASTER 7210 ZEE MODEL 30363N FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION PRICING SYSTEM; and

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of two (2) Commercial Toro Groundsmaster 7210 Zee Model 30363N with accessories under this Cooperative Pricing System at a price of \$24,115.69 each for a total of \$48,231.38 for the Department of Public Works; and

WHEREAS, funds in the amount of \$48,231.38 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001.

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 and any other necessary documents, in the amount of \$48,231.38 with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$48,231.38** are available for the above contract in Account No. **C-04-12-1817-370-001**.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE TRAFFIC,
WARNING AND STREET SIGNS AND RELATED SUPPLIES
CONTRACT WITH GARDEN STATE HIGHWAY PRODUCTS IN AN
AMOUNT NOT TO EXCEED \$15,000.00**

WHEREAS, GARDEN STATE HIGHWAY PRODUCTS, 1740 Oak Road, Vineland, NJ 08361 was awarded Contract No. 12-03-09 on June 27, 2012 through Resolution R.386-062012 for a one year period effective July 23, 2012 in the amount of \$7,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; and

WHEREAS, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Township recommends that this contract in the amount not to exceed \$15,000.00 be extended with the price as well as all terms and conditions to remain the same until the new contract becomes effective; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, cannot be encumbered at this time; and

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or her designee, is hereby authorized to extend the contract in the amount of \$15,000.00 with GARDEN STATE HIGHWAY PRODUCTS as described herein.

RESOLUTION AWARDING CONTRACT TO CAMPBELL FREIGHTLINER, LLC FOR THE FURNISHING OF AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase Automotive Parts for Heavy Duty Vehicles for the Township of Edison; and

WHEREAS, CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Road, Suite 8, PO Box 770, Edison, NJ 08818 has been awarded State Contract Number 73706 under T-2085/Automotive Parts for Heavy Duty Vehicles; 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 this contract, not to exceed \$33,000.00, cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00 and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Road, Suite 8, PO BOX 770, Edison, NJ 08818, 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. 73706 under T-2085.

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

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

WHEREAS, This year's Memorial Day Parade will be held on Sunday, May 26, 2013 in the Clara Barton Section of the Township; and

WHEREAS, it has been recommended by the Township that the 2013 contribution be made to the Edison Township Parade Committee, 100 Municipal Blvd., Edison, NJ 08817; and

WHEREAS, funds for this purpose are available for the above payment in the Celebration of Public Events Account, Number 3-01-30-0420-000-020.

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

CERTIFICATION

I hereby certify that funds in the amount of **\$6,561.00** are available for the above payment in Account No. **3-01-30-0420-000-020**.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION AWARDING REIMBURSEMENT TO NGUTOR J. IFAN FOR
ADULT BASKETBALL GOOD STANDING REFUND**

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 \$100.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

WHEREAS, the below listed adult basketball team is eligible for a good standing refund as follows:

<u>REFUND NAME</u>	<u>TEAM</u>
NGUTOR J. IFAN	MAXIMUM FITNESS

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that the Chief Financial Officer of the Township of Edison shall refund the amount of \$100.00 to Ngutor J. Ifan, 34 N. 15th Avenue, Apt. 2, Manville, NJ 08835

CERTIFICATION

I hereby certify that funds in the amount of \$100.00 are available for the above teams in Account No. T-13-00-1000-000-048.

Janice Saponaro, Chief Financial
Officer

Date

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
SAFE LIFE SECURITY CORP. FOR THE PURCHASE OF VIDEO NETWORK RECORDING
EQUIPMENT FOR THE DIVISION OF POLICE**

WHEREAS, bids were received by the Township of Edison on May 8, 2013 for Public Bid No. 13-03-19-Video Network Recording Equipment, for the Division of Police; and

WHEREAS, SAFE LIFE SECURITY CORP., 500 Craig Rd. Floor 2, Manalapan, NJ 07726, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$24,020.00; and

WHEREAS, funds in the amount of \$24,020.00 have been certified to be available in the Federal Forfeited Property Account, Number T-13-00-0000-000-008.

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

1. All bids have been reviewed, and the bid submitted by SAFE LIFE SECURITY CORP., 500 Craig Rd. Floor 2, Manalapan, NJ 07726 for the purchase of Video Network Recording Equipment, for the Division of Police is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$24,020.00, and any other necessary documents, with SAFE LIFE SECURITY CORP. 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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,020.00** are available for the above contract in Account No. **T-13-00-0000-000-008**.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2013; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-001-008	GMRI, Inc 1000 Darden Center Drive	Orlando, FL 32869 Pocket License
1205-33-002-006	KMT Caterers, LLC t/a The Rosewood Manor 2863 Woodbridge Avenue	Edison, NJ 08837
1205-33-003-002	Chestnut Inn, Inc. t/a Chestnut Inn 1905 Woodbridge Avenue	Edison, NJ 08817
1205-33-005-006	Sondek Inc. t/a Richie's Sports Bar and Liquors 1 Vineyard Road and Johnstone Street	Edison, NJ 08817
1205-33-006-006	Anthony's Coal Fired Pizza t/a Anthony's Coal Fired Pizza 80 Parsonage Road	Edison, NJ 08837
1205-33-007-003	Green Derby Inc. t/a Green Derby 2024 Woodbridge Avenue	Edison, NJ 08817
1205-33-011-010	Pine Liquor License, LLC t/a Pines Manor 2085 Route 27	Edison, NJ 08817

1205-33-013-010	Norstar & Company LLC T/A Grand Shanghai Chinese Restaurant and Bar 700 US Route 1 North	Edison, NJ 08817
1205-33-014-009	John McGowan 14 Carlisle Court	Edison, NJ 08817 Pocket License
1205-33-015-014	Edison Land Investment, LLC 400 Plaza Drive	Secaucus, NJ 07096 Pocket License
1205-33-016-009	Rainforest Café Inc. t/a Rainforest Cafe 100 Menlo Park Mall	Edison, NJ 08837
1205-33-018-004	Cheesecake Factory Menlo Park Mall 455 Parsonage Road	Edison, NJ 08837
1205-33-020-010	Apple Food Services t/a Applebee's Neighborhood Grill & Bar 1045 Route 1 South	Edison, NJ 08817
1205-33-022-004	Nine J's Inc. t/a Rick's & Bill's Corner Pub 3 Meadow Road	Edison, NJ 08817
1205-33-023-005	Mac Acquisition, LLC t/a Romano's Macaroni Grill 1521 Route 1	Edison, NJ 08837
1205-33-024-001	Plainfield Country Club 1591 Woodland Avenue	Edison, NJ 08820
1205-33-025-008	Champps Entertainment t/a Champps Americana 418 Menlo Park Mall	Edison, NJ 08837
1205-33-027-007	Nordstrom, Inc. t/a Café Nordstrom 449 Menlo Park	Edison, NJ 08837
1205-33-028-005	Savi Enterprises, LLC T/A Mirage Banquet Hall 1655/130 - 155 Oak Tree Road	Edison, NJ 08820

1205-33-029-005	Akbar Lounge, LLC t/a Akbar Lounge 21 Cortland Street	Edison, NJ 08837
1205-33-030-003	Edison Land Investment, LLC 400 Plaza Drive	Secaucus, NJ 07096 Pocket License
1205-33-032-004	Brinker New Jersey, Inc. T/A Chili's Southwest Grill & Bar 1671 Oak Tree Road	Edison, NJ 08820
1205-33-035-006	Elio's Inc. t/a Elio's Ristorante 1065-67 Inman Avenue	Edison, NJ 08820
1205-33-049-007	Outback Steakhouse of FL t/a Outback Steakhouse 481 US Highway 1	Edison, NJ 08817
1205-33-058-002	Fox and Hound of NJ, Inc. t/a Fox and Hound Pub & Grille 250 Menlo Park Drive	Edison, NJ 08837
1205-33-062-001	Wick Wholesalers, Inc PO Box 29	Woodbridge, NJ 07095 Pocket License
1205-33-063-003	AMC Theaters of NJ, Inc t/a AMC Theaters Menlo Park 12 55 Parsonage Road Ste 390	Edison, NJ 08817

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-056-002	Hersha Hospitality Management t/a Hilton Garden Inn Edison/Raritan 50 Raritan Center Parkway	Edison, NJ 08837

1205-36-065-011	BPG Hotel XXXIII Owner, LLC t/a Sheraton Edison Hotel 125 Raritan Center Parkway	Edison, NJ 08817
1205-36-066-001	Ashford TRS Sapphire V, LLC t/a Courtyard by Marriott 3105 Woodbridge Avenue	Edison, NJ 08837

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Distribution Licenses expiring on June 30, 2013, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-005	888 Route 22, Inc t/a The Liquor Locker/Super Saver Liquors 1701 Oak Tree Road	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corp. t/a Costco Warehouse #323 2210 Route 27 North	Edison, NJ 08817
1205-44-033-003	Donald P. Vincz t/a Vincz's Food and Liquors 1066 Amboy Avenue	Edison, NJ 08837
1205-44-036-005	YT & T Inc. t/a Harvest Wines & Spirits 2370 Woodbridge Avenue	Edison, NJ 08817
1205-44-059-002	VW & Sons, Inc. t/a Plaza Discount Wines & Spirits 561 US Route 1	Edison, NJ 08817
1205-44-064-004	Rishrik, LLC t/a Wineoland 1199 Amboy Avenue	Edison, NJ 08837

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2013, for which are required fee of \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-034-001	Edison Memorial Post #3117 1970 Woodbridge Avenue	Edison, NJ 08817
1205-31-037-001	American Legion Father & Sons Post 435 43 Oakland Avenue	Edison, NJ 08817
1205-31-038-001	Clara Barton Post #324 Club, Inc. American Legion 156 Brower Avenue	Edison, NJ 08837
1205-31-039-001	Columbian Club of Edison 71 Council Place	PO Box 213 Edison, NJ 08818
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-046-001	Loyal Order of Moose Edison Lodge 1978 410 Talmadge Road	Edison, NJ 08817
1205-31-047-001	Raritan Riverboat Club, Inc. Thompson Place	PO Box 1288 Edison, NJ 08817
1205-31-050-001	Edison Lodge No. 2487 BPOE of the USA 375 Old Post Road	PO Box 2 Edison, NJ 08818

Explanation: An Ordinance approving a Rights of Way Use Agreement with United Fiber and Data, LLC for the use of public rights of way for the installation of telecommunication lines and facilities.

TOWNSHIP OF EDISON

ORDINANCE

WHEREAS, United Fiber and Data, LLC is a telecommunications company which possesses the required approval from the New Jersey Board of Public Utilities and is requesting consent from the Township pursuant to N.J.S.A. 48:2-14 to use its rights of way as proposed in the attached Rights of Way Use Agreement; and

WHEREAS, United Fiber and Data will, in part, be providing service to I.O. Data Centers which is located on the property designated as Block 795-D, Lot 22B-8, 3003 Woodbridge Avenue, Siemens, which is located at 170 Wood Avenue S., and BNP Paribas, which is located at 485 US Highway, each of which is a company which is in need of telecommunication lines and services to operate its business which United Fiber & Data, LLC will be providing; and

WHEREAS, as the Township is authorized to grant such consent pursuant to N.J.S.A. 48:3-11 et seq..

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

1. The attached Rights of Way Use Agreement with United Fiber and Data LLC is hereby approved by the Township Council and the Mayor is hereby authorized to execute the attached Rights of Way Use Agreement.
2. The Mayor, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the Rights of Way Use Agreement and all other documents and undertake all actions reasonably necessary to effectuate the Rights of Way Use Agreement approved herein.

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

