

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, June 11, 2014
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 14, 2013, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Regular Meeting of May 14, 2014.
5. **COUNCIL PRESIDENT'S REMARKS**
6. **RESOLUTIONS OF RECOGNITION:**
 - a. Resolutions of Recognition to 2nd Graders Essay Contest Winners
 - b. Resolution of Recognition to Edison High School Civics and Justice Academy and AP Government students.
7. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

O.1868-2014	ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.
O.1869-2014	THIS ORDINANCE NAMES THE PARKLAND AND OPEN SPACE SOUTHERLY OF MILL CREEK AT THE EDISON BOAT BASIN, COMPRISING A PORTION OF BLOCK 366.B, LOT 18, AS "RIVERSIDE PARK".
8. **PUBLIC COMMENT ON THE RESOLUTIONS:**
9. **PROPOSED RESOLUTIONS**

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

- R.244-062014 Resolution of Recognition to Contest winner Joe Chaves
- R.245-062014 Resolution of Recognition to Contest winner Sushanth Balaraman.
- R.246-062014 Resolution of Recognition to Contest winner Akhila Mahidhara.
- R.247-062014 Resolution of Recognition to Contest winner Vishal Nadella
- R.248-062014 Resolution of Recognition to Contest winner Archit Dwiedi
- R.249-062014 Resolution of Recognition to Contest winner Rajas Tewari
- R.250-062014 Resolution of Recognition to Contest winner Casey Loeffler
- R.251-062014 Resolution of Recognition to Contest winner Sofia Park
- R.252-062014 Resolution of Recognition to Contest winner Georgi Petrov
- R.253-062014 Resolution of Recognition to Contest winner Ishan Wagh
- R.254-062014 Resolution approving disbursements for the period ending June 5, 2014.
- R.255-062014 Resolution authorizing refund in the amount of \$3,585.73 for redemption of tax sale certificates.
- R.256-062014 Temporary Budget Appropriation.
- R.257-062014 Resolution authorizing Tax Collector to prepare and mail estimated Tax Bills.
- R.258-062014 Resolution authorizing the Township to pay utility bills incurred with respect to street lighting and essential services within the development at Woodland Estates.
- R.259-062014 Resolution accepting a Grant from Middlesex County under the County Open Space, Recreation and Farmland Historic Preservation Trust Fund in the amount of \$150,000.00
- R.260-062014 Award of Contract/Purchase Order for Park and Playground Equipment To American Ramp Company in the amount of \$100,152.31.
- R.261-062014 Award of Contract for Public Bid No. 14-12-04 Office Supplies to W.B. Mason Company, Inc. in an amount not to exceed \$75,000.00.
- R.262-062014 Awarding of Contracts for Public Bid No. 14-02-14 Photography and Audio/Video Equipment to Camcor, Inc. in an amount not to exceed \$52,000.00.
- R.263-062014 Awarding of Contracts for Public Bid No. 14-02-14 Photography and Audio/Video Equipment to Valiant National AV Supply in an amount not to exceed \$32,000.00.
- R.264-062014 Award of Contract for Public Bid No. 14-02-10 for Maintenance and Repair of Office Equipment to Ditto Copy Systems in an amount not to exceed \$35,000.00.
- R.265-062014 Resolution authorizing the Mayor to execute a Developers Agreement with Edison Plaza OP, LLC.
- R.266-062014 Resolution authorizing execution of the separation agreement with Janice Saponaro.
- R.267-062014 Resolution releasing Cash Performance Bond to Kartik Kaushik for 20 McKinley Street in the amount \$6,500.00.
- R.268-062014 Resolution refunding Tree Maintenance Bond to Suburban Real Estate Development under Permit No. 07-021, 228 Pierson Avenue, in the amount of \$6,400.00.
- R.269-062014 Resolution for application of the Tonnage Grant.

- R.270-062014 Awarding of Contract for Public Bid No. 14-04-15 Pavement Milling to Fischer Contracting, Inc. in an amount not to exceed \$330,000.00.
- R.271-062014 Resolution accepting Bid Withdrawal from Defino Contracting Company.
- R.272-062014 Award of Contract for Public No. 14-02-27 Automated Refuse Collection System Parts to Sanitation Equipment Corporation in an amount not to exceed \$50,000.00.
- R.273-062014 Resolution to release street Opening Escrow to Envirotactics, Inc. for North Eighth Avenue in the amount of \$100.00.
- R.274-062019 Award of Contact/Purchase Order for Removal and Installation and repair of Wireless Mobile Video Recording Systems in an amount not to exceed \$25,000.00.
- R.275-062014 Resolution authorizing refund for a duplicate payment of a Liquor License Transfer in the amount of \$250.00 to Polak, Goodsell, Macneil & Straucher, PA
- R.276-062014 Resolution approving submission of the Safe Routes to School Grant.
- R.277-062014 Resolution support Assembly Bill A-1021 requiring direct payment of energy taxes to Municipal Government.
- R.278-062014 Resolution for Liquor Licenses Renewal year 2014-2015 for Club Licenses.
- R.279-062014 Resolution for Liquor Licenses Renewal year 2014-2015 for Retail Consumption Licenses.
- R.280-062014 Resolution for Liquor Licenses Renewal year 2014-2015 for Retail Consumption Licenses (Hotel/Motel).
- R.281-062014 Resolution for Liquor Licenses Renewal year 2014-2015 for Retail Distribution Licenses.
- R.282-062014 Resolution approving a New Plenary Retail Distribution Liquor License to Wine Amphorae East Brunswick, LLC.
- R.283-062014 Resolution appointing Philip C. Taglianetti, Sr. to be 1st Alternate Member To the Zoning Board of Adjustment.
- R.284-062014 Resolution of Recognition to Edison High School Civics and Justice Academy and AP Government students.

10. **ORAL PETITIONS AND REMARKS**

11. **ADJOURNMENT**

O.1868-2014

**TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY**

**CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Edison in the County of Middlesex, N.J., finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$2,398,798.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Edison in the County of Middlesex, N.J. , a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$2,878,557.77, and that the CY 2014 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Explanation: This Ordinance names the parkland and open space southerly of Mill Creek at the Edison Boat Basin, comprising a portion of Block 366.B, Lot 18, as “Riverside Park.”

EDISON TOWNSHIP

ORDINANCE O.1869-2014_____

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township values its public open spaces and parks and seeks to promote their use and enjoyment by both residents and visitors alike; and

WHEREAS, the Township recently constructed the Edison Riverfront Walkway, a scenic walkway located on parkland abutting the Raritan River, accessible from the Edison Boat Basin at the end of Meadow Road in the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to name the parkland and open space abutting the Raritan River southerly of Mill Creek (comprised of the public land depicted on the map attached hereto as *Exhibit A*, commonly known as a portion of Block 366.B, Lot 18) as “Riverside Park” in order to promote the use and enjoyment of the park space and highlight the newly constructed scenic walkway.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The parkland and open space depicted on the map attached hereto as *Exhibit A* is hereby named “Riverside Park.”
3. The Borough Clerk is hereby authorized and directed to file a certified copy of this Ordinance with any government agency requiring a notice of this name change.
4. Any ordinance inconsistent with this Ordinance is hereby repealed, but only to the extent of such inconsistency.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

RESOLUTION R.254-062014

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 5, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through June 5, 2014.

FUND	AMOUNT
Current	\$34,081,090.21
Affordable Housing	9,662.50
Capital	820.00
Cash Performance	31,115.19
CDBG	124,050.32
Developers Escrow	812.50
Dog (Animal Control)	2,461.44
Federal Forfeited	0.00
Grant Funds	7,287.93
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	419,960.56
Sanitation Fund	1,817,768.61
Sewer Utility	3,638,570.80
Tax Sale Redemption	223,058.83
Water Operation Fund	0.00
Tree Planting	1,350.00
Trust	95,639.03
TOTAL	\$40,453,647.92

/s/ Agnes Yang
Acting Chief Financial Officer

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

RESOLUTION R.255-062014

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 \$ **3,585.73**.

June 11, 2014

RESOLUTION R.256-062014

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2014 Calendar Year Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

CURRENT FUND	<u>2014</u>
MAYORS OFFICE	
SALARIES & WAGES	0.00
OTHER EXPENSES	202.15
TOWNSHIP COUNCIL	
SALARIES & WAGES	0.00
OTHER EXPENSES	955.50
BUSINESS ADMIN	
SALARIES & WAGES	7,098.00
OTHER EXPENSES	2,208.65
COMMUNICATIONS	
SALARIES & WAGES	0.00
OTHER EXPENSES	14,400.00
PURCHASING	
SALARIES & WAGES	0.00
OTHER EXPENSES	0.00
CENTRAL STORES	2,917.20
PERSONNEL/HR	
SALARIES & WAGES	0.00
OTHER EXPENSES	488.80
ETHICS COMMISSION	450.00
LEGAL DEPARTMENT	
SALARIES & WAGES	0.00
OTHER EXPENSES	32,500.00
FINANCE	

SALARIES & WAGES	0.00
OTHER EXPENSES	0.00
AUDIT	3,604.40
DISBURSEMENTS	
SALARIES & WAGES	0.00
OTHER EXPENSES	80.89
PAYROLL	
SALARIES & WAGES	0.00
OTHER EXPENSES	21,762.83
TAX COLLECTOR	
SALARIES & WAGES	0.00
OTHER EXPENSES	1,083.25
RECREATION	
SALARIES & WAGES	177,262.39
OTHER EXPENSES	26,063.80
HEALTH	
SALARIES & WAGES	96,100.00
OTHER EXPENSES	0.00
SENIOR CITIZENS SERVICES	
SALARIES & WAGES	28,130.45
OTHER EXPENSES	1,505.00
POLICE DEPARTMENT	
SALARIES & WAGES	1,254,274.25
OTHER EXPENSES	32,191.50
DISPATCH 911	
SALARIES & WAGES	0.00
OTHER EXPENSES	24,314.65
POLICE VEHICLE MAINTENANCE	
SALARIES & WAGES	20,919.34
OTHER EXPENSES	8,900.00
FIRE FIGHTING	
SALARIES & WAGES	550,000.00
OTHER EXPENSES	0.00
FIRE HYDRANT CHARGES	71,666.80
AID TO VOLUNTEER FIRE COMPANIES	5,500.00
FIRE PREVENTION	
SALARIES & WAGES	3,344.20
OTHER EXPENSES	5,500.00
PARKS & TREES	
SALARIES & WAGES	73,703.10
OTHER EXPENSES	4,022.50
MUNICIPAL GARAGE	
SALARIES & WAGES	26,381.60
OTHER EXPENSES	2,579.84
FUELS & LUBRICANTS	50,237.25

STREET LIGHTING	50,000.00
STREETS & ROADS	
SALARIES & WAGES	110,000.00
OTHER EXPENSES	38,137.50
BUILDINGS & GROUNDS	
SALARIES & WAGES	88,362.35
OTHER EXPENSES	0.00
SOLID WASTE RECYCLING	
SALARIES & WAGES	51,915.75
OTHER EXPENSES	2,092.50
PUBLIC BUILDINGS TELEPHONE	892.87
PUBLIC BUILDINGS HEAT, LIGHT & POWER	47,323.45
ENGINEERING SERVICES	
SALARIES & WAGES	19,000.00
OTHER EXPENSES	4,341.55
CONSTRUCTION ENFORCING AGENCY	
SALARIES & WAGES	0.00
OTHER EXPENSES	9,550.00
PLANNING & ZONING DEPARTMENT	
SALARIES & WAGES	0.00
OTHER EXPENSES	50.00
PLANNING BOARD	
OTHER EXPENSES	1,310.00
ZONING BOARD	
OTHER EXPENSES	1,265.00
RENT CONTROL BOARD	
SALARIES & WAGES	400.00
OTHER EXPENSES	25.00
MUNICIPAL COURT	
SALARIES & WAGES	32,474.06
OTHER EXPENSES	3,124.75
PUBLIC DEFENDER	
SALARIES & WAGES	1,450.00
OTHER EXPENSES	100.00
CELEBRATION OF PUBLIC EVENTS	
OTHER EXPENSES	2,500.00
LOSAP	
OTHER EXPENSES	25,000.00
OOFICE OF EMERGENCY MANAGEMENT	
OTHER EXPENSES	726.50
CONDOMINIUM COMM COSTS	
OTHER EXPENSES	7,250.00
ENVIRONMENTAL COMMISSION	
OTHER EXPENSES	15.00

EMPLOYEE GROUP INSURANCE	1,000,000.00
SOCIAL SECURITY	270,000.00
MIDDLESEX COUNTY PAPIANNI PARK REDEVELOPMENT GRANT	150,000.00
TOTAL CURRENT FUND	<u>4,467,654.62</u>

SEWER OPERATING FUND

SALARIES & WAGES	0.00
OTHER EXPENSES	39,709.07
SOCIAL SECURITY	6,000.18
CAPITAL IMPROVEMENT PROJECTS	7,123.45
TOTAL SEWER UTILITY FUND	<u>52,832.70</u>

SANITATION

SALARIES & WAGES	0.00
OTHER EXPENSES	99,974.85
SOCIAL SECURITY	8,000.00
DISPOSAL FEES	80,000.00
EMPLOYEE GROUP HEALTH INSURANCE	119,442.20
TOTAL SANITATION FUND	<u>307,417.05</u>

RESOLUTION AUTHORIZING THE EDISON TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, due to an anticipated late adoption of the Township of Edison Budget, the Middlesex County Board of Taxation is unable to certify the tax rate and the Township of Edison Tax Collector may be unable to mail the Township's 2014 tax bills on a timely basis, and

WHEREAS, the Township of Edison's Tax Collector, in consultation with the Township of Edison Acting Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they both signed a certification reflecting the various tax levies for the prior year and the range of permitted estimated tax levies.

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

1. The Township of Edison Tax Collector is hereby authorized to prepare and issue estimated tax bills for the Township for the third installment of 2014 taxes. The Tax Collector may proceed and take such actions as are permitted and required by P.L. 1994, c.72(N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2014 is hereby set at \$332,264,298.
3. In accordance with law, the third installment of 2014 taxes shall not be subject to interest until the later of August 10th, or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Explanation: A Resolution authorizing the Township to pay utility bills incurred with respect to street lighting and essential services within the development at Woodland Estates.

EDISON TOWNSHIP

RESOLUTION R.258-062014

WHEREAS, in 2006 Woodland Estates at North Edison, LLC (“Woodland at Edison”) inherited final subdivision plan approval (“Approvals”) granted by the Planning Board of the Township of Edison (“Board”) from the original applicant Anda Builders, LLC to construct a residential subdivision of approximately twenty-three (23) homes off of Woodland Avenue (“Woodland Estates”) on property commonly then known as Block 415, Lots 20-A.1 and 20-A.3 on the tax maps of the Township; and

WHEREAS, Woodland at Edison entered a developer’s agreement with the Township in 2006 (“Developer’s Agreement”) under it which agreed, upon completion of Woodland Estates, to dedicate to the Township the street(s) servicing the residences, as required by the Approvals, among other conditions; and

WHEREAS, Woodland at Edison experienced financial difficulty and failed to complete Woodland Estates, including common improvements thereto such as street paving and landscaping; and

WHEREAS, Woodland Estates by Fenix, LLC (“Fenix”) and Windham Associates, LLC (“Windham”) subsequently assumed control of the development of Woodland Estates in 2006 and 2011, respectively, but similarly experienced financial difficulty and failed to complete improvements required under the Approvals and Developer’s Agreement; and

WHEREAS, Woodland at Edison, Fenix and Windham are unresponsive to Township demands to complete Woodland Estates, which remains in a state of partial disrepair and distress; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) desires to maintain and provide street lighting to the streets servicing Woodland Estates pursuant to the authority granted under *N.J.S.A. 40:67-23.1* and *N.J.S.A. 40:55D-53.6*, pending the Township’s formal acceptance of the streets upon final completion; and

WHEREAS, the Municipal Council believes it is in the best interest of the Township to assume payments for utility bills with respect to street lighting along Hayduk Drive and Kitchen Court in Woodland Estates, and other essential utility services within the development, as necessary, including a pump station, notwithstanding the failures of Woodland at Edison, Fenix and Windham to complete development in accordance with the Approvals and Developer’s Agreement, pending the final resolution of development issues.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council may take interim measures to maintain and provide street lighting to the streets servicing Woodland Estates, including the payment of utility bills, pending the formal acceptance of the dedication of same.

Section 3. The Municipal Council reserves all right to pursue claims against Woodland at Edison, Fenix, Windham and any other liable developer for failure to complete improvements to Woodland Estates, including action(s) against any surety guaranteeing the performance of same.

Section 4. The Township finance department is hereby authorized to pay any utility bill required to keep essential services operational at Woodland Estates, including for street lighting and the pump station. This authorization is retroactive in that it shall authorize the payment of utility expenses for essential services incurred prior to the adoption of this Resolution.

Section 5. This Resolution shall take effect immediately.

RESOLUTION R.259-062014

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$150,000.00 FROM MIDDLESEX COUNTY UNDER THE COUNTY OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$150,000.00 from Middlesex County under the Open Space, Recreation and Farmland and Historic Preservation Trust Fund; and

WHEREAS, these grant funds have been received and the Township of Edison is desirous of accepting these grant funds; and

WHEREAS, as per the agreement with Middlesex County, these grant funds will be used for the Papianni Park/Edison Skateboard/BMX Park Redevelopment; and

WHEREAS, matching funds are required to accept this grant award.

NOW, THEREFORE, IT IS RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate Township officials will accept said funds in the amount of \$150,000.00, and that the Mayor, or his designee, is hereby authorized to execute any and all documents with respect to this grant described herein.

RESOLUTION R.260-062014

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AMERICAN RAMP COMPANY FOR THE PURCHASE OF PARK AND PLAYGROUND EQUIPMENT FOR THE PAPIANNI PARK / EDISON SKATEBOARD/BMX PARK REDEVELOPMENT

WHEREAS, there is a need to purchase skateboard equipment and parts for the Papianni Park / Edison Skateboard/BMX Park Redevelopment; and

WHEREAS, AMERICAN RAMP COMPANY, 601 McKinley Avenue, Joplin, MO 64801 has been awarded State Contract Number 81428, T-0103: Park and Playground Equipment and Parts; 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 maximum amount of the purchase shall not exceed \$250,152.31; and

WHEREAS, funds in the amount of \$100,152.31 have been certified to be available in the Various Improvements – Municipal Parks, Account Number C-04-12-1817-370-003, and funds in the amount of \$150,000.00 will be available from the grant received from the Middlesex County Open Space, Recreation and Farmland and Historic Preservation Trust Fund; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$250,152.31, and any other necessary documents, with AMERICAN RAMP COMPANY 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. 81428 under T-0103.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$100,152.31 are available for the above in Account No. C-04-12-1817-370-003 and funds in the amount of \$150,000.00 will be available from the grant received from the Middlesex County Open Space, Recreation and Farmland and Historic Preservation Trust Fund

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION R.261-062014

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO W.B. MASON COMPANY
INCORPORATED FOR OFFICE SUPPLIES**

WHEREAS, bids were received by the Township of Edison on April 23, 2014 for Public Bid No.14-12-04, Office Supplies for the Township of Edison; and

WHEREAS, W.B. MASON COMPANY INCORPORATED, 59 Centre Street, Brockton, MA 02303, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$75,000.00, 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 W.B. MASON COMPANY INCORPORATED, 59 Centre Street, Brockton, MA 02303 for Office Supplies for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$75,000.00 any other necessary documents, with W.B. MASON COMPANY INCORPORATED as described herein.

RESOLUTION R.263-062014

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO VALIANT NATIONAL AV SUPPLY FOR PHOTOGRAPHY/VIDEO EQUIPMENT AND SUPPLIES

WHEREAS, bids were received by the Township of Edison on May 14, 2014 for Public Bid No.14-02-14, Photography and Audio/Video Equipment and Supplies, Installation and Repairs, for the Township of Edison; and

WHEREAS, VALIANT NATIONAL AV SUPPLY, 80 Little Falls Rd., Fairfield, NJ 07004, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$32,000.00, 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 VALIANT NATIONAL AV SUPPLY, 80 Little Falls Rd., Fairfield, NJ 07004 for Photography and Audio/Video Equipment and Supplies, Installation and Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$32,000.00 any other necessary documents, with VALIANT NATIONAL AV SUPPLY as described herein.

RESOLUTION R.262-062014

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CAMCOR, INC. FOR PHOTOGRAPHY/VIDEO EQUIPMENT AND SUPPLIES

WHEREAS, bids were received by the Township of Edison on May 14, 2014 for Public Bid No.14-02-14, Photography and Audio/Video Equipment and Supplies, Installation and Repairs, for the Township of Edison; and

WHEREAS, CAMCOR, INC., 2273 S. Church St., P.O. Box 1899, Burlington, NC 27215, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$52,000.00, 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 CAMCOR, INC., 2273 S. Church St., P.O. Box 1899, Burlington, NC 27215 for Photography and Audio/Video Equipment and Supplies, Installation and Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$52,000.00 any other necessary documents, with CAMCOR, INC., as described herein.

RESOLUTION R.264-062014

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 29, 2014 for Public Bid No. 14-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

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

WHEREAS, the total amount of this contract, not to exceed \$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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his 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.

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison Plaza OP, LLC with respect to the property identified as Block 265AA, Lots 43.20 and 43.21 as shown on the Edison Township tax map.

EDISON TOWNSHIP

RESOLUTION _R.265-062014

WHEREAS, the property identified as Block 265AA, Lots 43.20 and 43.21 as shown on the Edison Township tax map (the "Property," commonly referred to as 751 Route 1) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board") made by Edison Plaza OP, LLC ("Developer") for the approval of a preliminary and final major site plan with bulk variances to permit the construction of a 3,795 square foot bank building, including three (3) drive-through lanes on the rear, 44 parking spaces around the bank pad, 493 parking spaces around the supermarket and strip mall and landscape screening along the existing Route 1 frontage of the Property (the "Project"); and

WHEREAS, the Board granted final site plan approval for the Project by resolution memorialized on September 16, 2013 ("Resolution"); and

WHEREAS, the Resolution and the Code of the Township of Edison require the developer to enter into a developer's agreement with the Township of Edison ("Township") in connection with the Project; and

WHEREAS, the developer's agreement attached hereto between the Township and Developer ("Agreement") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

Explanation: A Resolution authorizing execution of the separation agreement with Janice Saponaro.

EDISON TOWNSHIP

RESOLUTION R.266-062014

WHEREAS, Janice Saponaro is an employee (“Employee”) of the Township’s Finance Department; and

WHEREAS, the Township has decided to sever its employment relationship with the Employee, on terms mutually agreeable to the Employee and the Township

WHEREAS, the Township desires to approve, endorse and accept the Agreement and Release (“Agreement,” attached hereto as Exhibit A) made with Employee so as to avoid any misunderstanding over its action to sever the employment relationship and to avoid litigation that might occur over that misunderstanding.

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

1. The recitals are hereby incorporated as if restated herein in full.
 2. The Agreement, attached hereto as Exhibit A, is hereby authorized, approved and accepted.
 3. The Mayor is hereby authorized to execute any ancillary documents relating to and required by the Agreement as determined reasonably necessary by the Mayor in consultation with counsel to the Township.
 4. This Resolution shall take effect immediately.
-

EXPLANATION: Resolution releasing Cash Performance Bond to Kartik Kaushik c/o Arjun Valkkam, 20 McKinley Street Edison NJ, 08820.

TOWNSHIP OF EDISON
RESOLUTION R.267-062014

WHEREAS, the Township Engineer advises that a Certification letter from a Professional Engineer in the State of New Jersey, Land Tek Design LLC has certified the site improvements located at 36 Jersey Avenue, Edison, NJ 08820, Block 646, Lots 25-26, after issuance of a temporary certificate of occupancy, and an engineering inspection for certificate of occupancy indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond posted on November 22, 2013 in the amount of \$6,500.00, plus accrued interest, if applicable, on deposit in account #7762495302 with the Township of Edison, 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

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 \$6,500.00 plus accrued interest, if applicable, on deposit in account #7762495302 to the applicant.

S:Eng-Karen-RetReso-CashPerf-36JerseyAve-Valkkam

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Suburban Real Estate Development Corp. 228 Pierson Avenue Edison, NJ 08837 under Tree Permit No. 07-021.

TOWNSHIP OF EDISON

RESOLUTION R.268-062014

WHEREAS, on March 1, 2007 Suburban Real Estate Development Corp., posted Tree Maintenance Bond fees in the amount of \$6,400.00 on deposit with the Township of Edison in account #7760237684 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #07-021 for property Vineyard Road Edison, NJ; 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 \$6,400.00, plus accrued interest, if applicable, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$6,400.00 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 \$6,400.00, plus accrued interest, if applicable, on deposit in Account #7760237684 to Suburban Real Estate Development Corp., having an address of 228A Pierson Avenue, Edison, NJ 08837

TONNAGE GRANT APPLICATION RESOLUTION R.269-062014

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

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

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

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

WHEREAS, The resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycle and to indicate the assent of the Edison Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

NOW THEREFORE BE IT RESOLVED by the Township Council of Edison that the Township of Edison hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jeffrey Roderman, CPR to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION R.270-062014

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FISCHER CONTRACTING, INC.
FOR THE FURNISHING OF PAVEMENT MILLING AND TACK COATING**

WHEREAS, bids were received by the Township of Edison on May 28, 2014 for Public Bid No. 14-04-15, Pavement Milling and Tack Coating, for the Department of Public Works; and

WHEREAS, FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 submitted the lowest legally responsible bid in the amount of \$305,000.00 for milling and tack coating and \$95.00 per hour for traffic control; and

WHEREAS, the total amount of the award of this contract 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 for PAVEMENT MILLING AND TACK COATING is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$330,000.00, and any other necessary documents, with FISCHER CONTRACTING, INC.

RESOLUTION R.271-062014

RESOLUTION ACCEPTING BID WITHDRAWAL FROM DEFINO CONTRACTING COMPANY FOR THE FURNISHING OF PAVEMENT MILLING AND TACK COATING

WHEREAS, bids were received by the Township of Edison on May 28, 2014 for Public Bid No. 14-04-15, Pavement Milling and Tack Coating, for the Department of Public Works; and

WHEREAS, DEFINO CONTRACTING COMPANY, 28 Industrial Drive, Cliffwood Beach, NJ 07735 submitted a bid in the total amount of \$250,000.00 for the first year and \$310,000.00 for the second year; and

WHEREAS, on May 30, 2014 Defino Contracting submitted the attached letter and spreadsheet requesting withdrawal of said bid; and

WHEREAS, Local Public Contracts Law 40A:11-23.3 allows for withdrawal of bid due to a mistake on the part of the bidder within five business days after a bid opening upon evidence of mistake; and

WHEREAS, after review of submitted documents, Defino Contracting has met the requirements of 40A:11-23.3 for bid withdrawal under this statute; and

WHEREAS, pursuant to 40A:11-23.3 withdrawal of bid includes disqualification from future bidding on the same project; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

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

1. The bid submitted by **DEFINO CONTRACTING COMPANY**, 28 Industrial Drive, Cliffwood Beach, NJ 07735 is hereby withdrawn in accordance with 40A:11-23.3.
2. Defino Contracting is disqualified from future bidding on this project pursuant to 40A:11-23.3(f).
3. The purchasing agent is hereby authorized to return the bid guarantee pursuant to 40A:11-23.3(e).

RESOLUTION R.272-062014

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SANITATION EQUIPMENT CORPORATION FOR LABRIE 2000 AUTOMATED REFUSE COLLECTION SYSTEM PARTS

WHEREAS, bids were received by the Township of Edison on March 18, 2014 for Public Bid No. 14-02-27, Labrie 2000 Automated Refuse Collection System Parts for the Department of Public Works; and

WHEREAS, SANITATION EQUIPMENT CORPORATION, S-122 Route 17 North, Paramus, NJ 07652 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$50,000.00, 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 SANITATION EQUIPMENT CORPORATION, S-122 Route 17 North, Paramus, NJ 07652 for Labrie 2000 Automated Refuse Collection System Parts for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00, and any other necessary documents, with SANITATION EQUIPMENT CORPORATION as described herein.

R.273-062014

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000102, to the following:

Permit Number:	0278
Opening Location:	North Eighth Avenue
Block/Lot:	N/A
Applicant's Name & Address:	Envirotactics Inc. 1625 Route 71 Wall, NJ 07719
Initial Deposit Date:	01/23/14
Deposit Amount:	\$100.00
Paid by & refunded to:	Envirotactics Operating Account 1625 Highway 71 Wall, NJ 07719-3153

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

RESOLUTION R.274-062014

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO TRIANGLE COMMUNICATIONS FOR THE REMOVAL, INSTALLATION AND REPAIR OF WIRELESS MOBILE VIDEO RECORDING SYSTEMS FOR THE DIVISION OF POLICE

WHEREAS, there is a need to remove the wireless mobile video recording systems from damaged/old police vehicles and install them in the newly purchased police vehicles for the Division of Police; and

WHEREAS, there is also a need to diagnose and repair existing mobile video recording systems no longer under warranty; and

WHEREAS, Triangle Communications, 2362 Waldheim Avenue, Scotch Plains, NJ 07076, is the sole vendor for this equipment; and

WHEREAS, the total amount of this contract, not to exceed \$25,000.00 cannot be encumbered at this time; and

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

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

WHEREAS, TRIANGLE COMMUNICATIONS, 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 TRIANGLE COMMUNICATIONS from making any reportable contributions through the term of the 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)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$25,000.00 and any other necessary documents, with Triangle Communications, 2362 Waldheim Avenue, Scotch Plains, NJ 07076, as described herein.

**RESOLUTION AUTHORIZING A REFUND TO GMRI, INC,t/a SEASON'S 52 FOR
DUPLICATE PAYMENT OF LIQUOR LICENSE NO. 1205-33-001-009**

WHEREAS, Post, Polak, Goodsell, Macneill & Strauchler, PA, attorney for GMRI, Inc., 425 Eagle Rock Avenue – Suite 200, Roseland, New Jersey 07068 submitted a check for GMRI, Inc. t/a Seasons 52 Liquor license transfer fee, which was previously paid.

WHEREAS, this check was deposited on April 30, 2014.

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 \$250.00 to Polak, Goodsell, Macneill & Strauchler, PA as stated herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$250.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION R.276-062014

BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that they hereby approve the submission of the Safe Routes to School Grant, to repair/replace curbs and sidewalks at all elementary and middle schools district- wide, Fiscal Year 2015 in the amount of \$300,000.

Explanation: A Resolution supporting Assembly Bill A-1021 requiring direct payment of energy taxes to municipal government.

EDISON TOWNSHIP

RESOLUTION R.277-062014_____

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and

WHEREAS, just as municipalities collect property taxes for the benefit of school districts, counties and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State officials have diverted funding from Energy Taxes to plug holes in the State budget and to fund State programs; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, municipalities lost \$331 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding in Fiscal Years 2009 through 2011, while also being denied scheduled incremental funding; and

WHEREAS, as a result of these cuts, property taxes in a number of municipalities are higher now, despite the fact that these municipalities are spending less, proving that the State's diversion of tax relief funding has contributed to higher municipal property taxes; and

WHEREAS, A-1021, sponsored by Assemblymen Daniel R. Benson and Wayne P. DeAngelo would restore the \$331 million in municipal property tax relief funding that was diverted due to State budget constraints, ensure that each municipality will be restored to the 2007 (SFY 2008) Energy Tax Receipts/CMPTRA level and adjust that amount to account for inflation; and

WHEREAS, the bill would require certain energy tax receipts to be paid directly to municipalities and, thereby, would assure local property taxpayers compensation for hosting transmission facilities and lines that allow gas and electric energy corporations to serve customers and conduct business in our Garden State; and

WHEREAS, the time has come to restore to local budgets the millions in property tax relief that have been annually diverted to meet State needs.

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

1. The Municipal Council ("Council") of the Township of Edison salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation.
2. The Council enthusiastically supports and urges our State Legislators to pass A-1021.
3. Certified copies of this Resolution shall be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Acting Commissioner Richard E. Constable III, New Jersey Senate President Stephen Sweeney, New Jersey Assembly Speaker Vincent Prieto, our State Senator

Peter J. Barnes III, our Assembly(women) Patrick J. Diegnan, Jr. and Nancy J. Pinkin, and to the New Jersey League of Municipalities.

RESOLUTION R.278-062014

WHEREAS, applications have be made for the renewal of Club Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2014; 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 FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2014, for which the required fee \$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, 2014.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
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

RESOLUTION R.279-062014

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, 2014; 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, 2014, 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, 2014.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-001-009	GMRI, Inc t/a Seasons 53 217 Lafayette Avenue	Edison, NJ 08837
1205-33-002-007	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
1205-33-004-005	Akabana Restaurant, Inc. t/a Benhana of Edison 60 Parsonage Road	Edison, NJ 08837
1205-33-006-006	Anthony's Coal Fired Pizza t/a Anthony's Coal Fired Pizza 80 Parsonage Road	Edison, NJ 08837
1205-33-007-005	The D.K. Family, Inc. t/a Edison Diner 101 Route 1	Edison, NJ 08817
1205-33-010-004	New Orleans Liquor LLC t/a Skylark Diner	Edison, NJ 08817

17 Wooding Avenue

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1205-33-011-009	Pines Liquor License LLC t/a Pines Manor 2085 Route 27	Edison, NJ 08817
1205-33-014-010	John McGowan 14 Carlisle St.	Edison, NJ 08817 Pocket License
1205-33-016-009	Rainforest Café, Inc. 100 Menlo Park	Edison, NJ 08837
1205-33-018-004	Cheesecake Factory Menlo Park Mall 455 Parsonage Road	Edison, NJ 08837
1205-33-019-010	CB Edison LLC Charlie Browns Steakhouse 222 Plainfield Road	Edison, NJ 08820
1205-33-020-010	Apple Food Services of Edison t/a Applebee's 1045 U.S. Rt. 1 South	Edison, NJ 08837
1205-33-022-004	Nine J's Inc. t/a Rick's & Bill's Corner Pub 3 Meadow Road	Edison, NJ 08817
1205-33-023-006	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	Edison, NJ 08837

449 Menlo Park

1205-33-028-005 Savi Enterprises, LLC Edison, NJ 08820
T/A Mirage Banquet Hall
1655/130 - 155 Oak Tree Road

1205-33-029-005 Akbar Lounge, LLC Edison, NJ 08837
t/a Akbar Lounge
21 Cortland Street

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1205-33-032-004 Brinker New Jersey, Inc. Edison, NJ 08820
T/A Chili's Southwest Grill & Bar
1671 Oak Tree Road

1205-33-035-006 Elio's Inc. Edison, NJ 08820
t/a Elio's Ristorante
1065-67 Inman Avenue

1205-33-049-007 Outback Steakhouse of FL Edison, NJ 08817
t/a Outback Steakhouse
481 US Highway 1

1205-33-058-002 Fox and Hound of NJ, Inc. Edison, NJ 08837
t/a Fox and Hound Pub & Grille
250 Menlo Park Drive

1205-33-062-003 QSL of Edison, LLC Edison, NJ 08817
t/a Quaker Steak & Lube
561 U.S. Route 1

1205-33-063-003 AMC Theaters of NJ, Inc Edison, NJ 08817
t/a AMC Theaters Menlo Park 12
55 Parsonage Road Ste 390

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RESOLUTION R.280-062014

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses (Hotel/Motel) , issued by the Municipal Council of the Township of Edison, expiring on June 30, 2014; 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 [Hotel/Motel] expiring on June 30, 2014, 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, 2014.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-053-005	Restaurant Route 27, LLC t/a Crowne Plaza Edison 2055 Lincoln Highway	Edison, NJ 08817
1205-36-056-003	Hersha Hospitality Management t/a Hilton Garden Inn Edison/Raritan 50 Raritan Center Parkway	Edison, NJ 08837
1205-36-066-001	Ashford TRS Sapphire V, LLC t/a Courtyard by Marriott 3105 Woodbridge Avenue	Edison, NJ 08837

RESOLUTION R.281-062014

WHEREAS, applications have be made for the renewal of Plenary Retail Distribution Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2014; 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 FURTHER RESOLVED, that the following Plenary Retail Distribution Licenses expiring on June 30, 2014, 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, 2014.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-006	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 Corporation 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
1205-44-036-006	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
1205-44-061-002	YSS & D Inc. t/a Edison Discount Wine & Spirits 144-146 Talmadge Road	Edison, NJ 08817
1205-44-064-004	Rishrik, LLC t/a Wineoland 1199 Amboy Avenue	Edison, NJ 08837

RESOLUTION R.282-062014

WHEREAS, on September 9, 2013, the governing body of the Township of Edison authorized the municipality to conduct a public auction of a “**NEW**” Plenary Retail Distribution Type Liquor License; and

WHEREAS, the Municipal Clerk in accordance with N.J.S.A. 33:1-19,4 noticed the Home News Tribune on two separate occasions (September 28, 2013 and October 14, 2013) said auction to be held on November 19, 2013; and

WHEREAS, the successful bidder, Wine Amphorae East Brunswick, LLC has submitted the state 12 page application along with the state fee (\$200.).

WHEREAS, the police department has since completed its investigation and has determined that the applicant fully qualifies for a “**NEW**” Plenary Retail Distribution Type Liquor License.

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council of the Township of Edison, does hereby approve the issuance of a “**NEW**” Plenary Retail Distribution Type Liquor License to Wine Amphorae East Brunswick, LLC.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the Division of Alcoholic Beverage Control to have a new license certificate issued for a type-44 license to Wine Amphorae East Brunswick, LLC.

RESOLUTION R.283-062014

WHEREAS, it is the duty of the Municipal Council to appoint a 1st Alternate member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Philip C. Taglianetti, Sr. to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Philip C. Taglianetti, Sr. 31 Warwick Road, Edison, New Jersey 08820 be and he is hereby appointed as the 1st. Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2014.