

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, June 23, 2014
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 14, 2013 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **2014 CALENDAR YEAR MUNICIPAL BUDGET:**
 - a. Public Hearing on June 25, 2014
6. **2014 CALENDAR YEAR SOLID WASTE BUDGET:**
 - a. Public Hearing on June 25, 2014
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through June 19, 2014.
 - b. Resolution authorizing refund in the amount of \$240,848.15 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$209.43.
 - d. Temporary Budget Appropriations
10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution authorizing additional funds for Veterinary Care Services Contract.
 - b. Resolution authorizing the development and submit grant application for 2013 NJDOT/NJT/FTA Section 5309 Bus Related Equipment.
 - c. Resolution authorizing the development and submission of grant application for 2014 Building Capacity to Service Communities Program.
 - d. Resolution authorizing the development and submission of grant application for Lowe's Foundation 2014 Public Education Program.
 - e. Resolution authorizing the development and submission of grant application for Pet Smart Foundation 2014 Spay/Neuter Grant Program.

11. **FROM THE DEPARTMENT OF LAW:**
 - a. Resolution authorizing the executive of a release of Developer's Agreement with respect to a completed development project location 940-946 Amboy Ave.
 - b. Resolution authorizing the execution of Developers Agreement with Old Dominion Freight Line.
 - c. Ordinance changing the zoning of Block 4-A, Lot 23 on Plainfield Avenue and Block 182A, Lot 9A2 on Route 1 as recommended in the 2013 Master Plan Review.
 - d. Ordinance vacating a portion of Lambert Avenue pursuant to NJSA 40:67-19.
 - e. Bond Ordinance providing for Various Capital Improvements.
 - f. Bond Ordinance providing for Sewer Improvements.
 - g. Ordinance to increase number of Township Plenary Retail Distribution Licenses.

12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution authorizing additional funds to Triad Associates, Inc. for Affordable housing Administrative Agent Services – Market to Affordable Program.
 - b. Awarding Emergency Change Order No. 1 for Frost Avenue East Corrugated Metal Pipe Rehabilitation.
 - c. Resolution refunding Inspection Fees.
 - d. Resolution refunding Tree Maintenance Cash Bond
 - e. Resolutions refunding Senior Residents Construction Permit Fee.
 - f. Resolution refunding a percentage of Cash Performance Bond.

13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolution authorizing the purchase a Gas Boy Gasoline Dispenser.

14. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution awarding contract to the "The E Street Shuffle Band" for providing entertainment at the Fall Family Spectacular, scheduled for September 13, 2014.
 - b. Resolution awarding contract to the MAS Productions, featuring "The Fins" Band for providing entertainment at the Fall Family Spectacular, scheduled for September 13, 2014.
 - c. Resolution authorizing a reimbursement for Summer Playground Program.
 - d. Resolution authorizing a reimbursement for ABC Program.

15. **FROM THE CHIEF OF FIRE:**
 - a. Approval of Volunteer Firefighter
 - b. Resolution authorizing permission to Garden State Fireworks to discharge fireworks for Independence Day Celebration taking place on the grounds of Lake Papaiani, scheduled for July 4, 2014 with no rain date.
 - c. Resolution authorizing permission to Garden State Fireworks to discharge fireworks for Independence Day Celebration at the Plainfield Country Club scheduled for July 3, 2014 with a rain date of July 5, 2014.
 - d. Awarding Contract/Purchase Order for six (6) Portable Radios.

16. **FROM THE CHIEF OF POLICE:**
 - a. Awarding Contract/ Purchase Order for the furnishing of warranties for years

- four and five on (14) fourteen Panasonic Toughbooks.
- b. Awarding Contact/Purchase Order for Software Upgrade.

17. **FROM THE TOWNSHIP CLERK:**

- a. Resolution authorizing Liquor License Renewals.
- b. Resolution reappointing Acting Municipal Clerk.

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

19. **PROPOSED RESOLUTIONS:**

- a. Resolution R.206-052014 – Resolution authorizing additional funds for payment to Louis Rainone of Decotiis, Fitzpatrick & Cole, LLP for previously handled matters for the years 2010 and 2011.

20. **COMMUNICATIONS:**

- a. Letter received from Walter Stochel, Chair of Edison Open Space Advisory Committee regarding Open Space Tax.
- b. Letter and petition received from Jeffrey Bender regarding Old Post Road and Route 1.

21. **DISCUSSION ITEMS:**

Council President Karabinchak

- a. Oak Tree Road & Woodland Ave. Traffic Light
- b. Building 1072
- c. Overlay Zone Case
- d. Land fill Closure
- e. Coah Fees Calculations
- f. FAR

Councilmember Diehl

None

Councilmember Gomez

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

Councilmember Shah
None

22. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 19, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through June 19, 2014.

| FUND | AMOUNT |
|----------------------|-----------------|
| Current | \$20,504,479.91 |
| Affordable Housing | 0.00 |
| Capital | 278,419.90 |
| Cash Performance | 6,503.65 |
| CDBG | 54,395.86 |
| Developers Escrow | 15,156.25 |
| Dog (Animal Control) | 836.23 |
| Federal Forfeited | 4,183.00 |
| Grant Funds | 7,986.37 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |
| Payroll Deduction | 446,125.87 |
| Sanitation Fund | 121,401.90 |
| Sewer Utility | 38,932.74 |
| Tax Sale Redemption | 372,520.27 |
| Water Operation Fund | 0.00 |
| Tree Planting | 6,662.36 |
| Trust | 71,708.37 |
| | |
| TOTAL | \$21,929,312.68 |

/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

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 **\$240,848.15**.

June 25, 2014

RESOLUTION

Whereas, on various properties located within the Township of Edison, overpayments of sewer use fees have been made due to erroneous or duplicate payments; and

Whereas, applications have been made to the Tax Collector for refund of said overpayments, totaling \$209.43 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 13, 2014

RESOLUTION

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.

| | <u>2014</u> |
|---|---------------------------------|
| CURRENT FUND | |
| PURCHASING | |
| SALARIES & WAGES | 0.00 |
| OTHER EXPENSES-POSTAGE | 15,000.00 |
| DISPATCH 911 | |
| SALARIES & WAGES | 0.00 |
| OTHER EXPENSES | 10,000.00 |
| ETHICS COMMISSION | 146.25 |
| BOND ANTICIPATION NOTES INTEREST EXPENSE | 30,224.86 |
| GREEN TRUST LOAN PAYMENTS | 92,579.55 |
| NJ ENVIROMENTAL INFRASTRUCTURE TRUST EXPENSE | 163,811.43 |
| TOTAL CURRENT FUND | <u><u>311,762.09</u></u> |

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR VETERINARY CARE SERVICES CONTRACT WITH SAYREBROOK VETERINARY HOSPITAL IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, SAYREBROOK VETERINARY HOSPITAL was awarded RFP-13-06-Veterinary Care Services through Resolution R.509-092013 for a one year period effective September 26, 2013 in the amount of \$75,000.00 and that amount has been depleted; and

WHEREAS, the Township recommends that additional funds be allocated for this contract for the remainder of the contract term in the amount not to exceed \$75,000.00; 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.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to allocate an additional \$75,000.00 to the contract with SAYREBROOK VETERINARY HOSPITAL as described herein.

Explanation: Approval and authorization by the Municipal Council of the Township of Edison of the development and submission of a grant application to the 2013 NJDOT/NJT/FTA Section 5309 Bus-Related Equipment and Facilities Program, funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU. The intent of this program is to improve mobility for seniors and individuals with disabilities by providing financial support, through programs planned, designed and carried out to meet the special transportation needs of these populations.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, the Edison Department of Health and Human Services (EDHHS)/Division of Senior Services (DSS) operates an established and on-going bus-services program for the transportation needs of local Senior and Disabled Citizens; and

WHEREAS, grant support of up to 80% is currently available from 2013 NJDOT/NJT 5309 Bus and Bus-Related Equipment and Facilities Program, as funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU, with a requisite 20% cash match from awardees; and

WHEREAS, EDHHS DSS desires to apply for and obtain an 80%/\$64,000 grant from the 2013 NJDOT/NJT 5309 Bus and Bus-Related Equipment and Facilities Program, with a cash match of 20%/\$16,000 to purchase a new, fuel-efficient, high-mileage, ADA-certified, gasoline powered bus to serve the increasing transportation needs of local Senior and Disabled Citizens; and

WHEREAS, the Township of Edison is an active participant in the County of Middlesex Coordinated Human Services Transportation Plan (CHSTP), as required; and

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the Edison Department of Health and Human Services/Division of Senior Services to develop and submit said grant application to the 2013 NJDOT/NJT Section 5309 Bus-Related Equipment and Facilities Program, funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU, at a regularly-scheduled Work Session on June 23, 2014 and subsequent Public Meeting on June 25, 2014.

Explanation: A Resolution of Support from the Municipal Council of the Township of Edison, authorizing the development and submission of an application to the Pet Smart Foundation 2014 Spay/Neuter Grant Program for an amount not to exceed \$200,000.00 over a two-year, consecutive period.

**TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION**

WHEREAS, the Edison Department of Health and Human Services (EDHSS) has an established and successful Spay/Neuter/Adoption Program for cats and dogs, operating at the Edison Municipal Animal Shelter (EMAS); and

WHEREAS, the Pet Smart Foundation operates and funds the 2014 Spay/Neuter Grant Program for an amount not to exceed \$200,000 over a two-year, consecutive period, with no cash or in-kind match required of awardees; and

WHEREAS, EDHHS EMAS intends to develop and submit an application to the Pet Smart Foundation 2014 Spay/Neuter Grant Program for an amount not to exceed \$200,000 over a two-year, consecutive period, with no cash or in-kind match required; and

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council of the Township of Edison has determined that EDHHS EMAS should develop and submit an application to the Pet Smart Foundation 2014 Spay/Neuter Grant Program for an amount not to exceed \$200,000 over a two-year, consecutive period, with no cash or in-kind match required, at a regularly-scheduled, public meeting, on June 25, 2014.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, the Edison Department of Health and Human Services, established the Edison Senior Citizen Center over thirty years ago; and

WHEREAS, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local, senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention, screenings, as well as other related Senior activities; and

WHEREAS, the Office Depot Foundation has grant funds available, through its 2014 Building Capacity to Serve Communities Program for eligible programs, projects, activities and related costs of qualified organizations in the communities in which its agencies operate; and

WHEREAS, the Edison Department of Health and Human Services (EDHHS) Division of Senior Services (DSS), intends to apply for grant funding for a maximum of \$3,000 from the Office Depot 2014 Building Capacity to Serve Communities Program, as it will help to support the continuing provision and expansion of services and related events at the Edison Senior Citizen Center for Edison's Senior Citizens; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Citizen Center, to apply for grant funding from the Office Depot 2014 Building Capacity to Serve Communities Program; and

WHEREAS, in that a 501(c)3 is required by Office Depot Foundation, the application shall be developed and submitted in partnership with the local, not-for-profit organization, Edison Save Our Seniors, with which EDHHS DSS works on a regular basis.

WHEREAS, the Edison Department of Health and Human Services, through the Edison Senior Citizen Center, will utilize all grant funds awarded to it by the Office Depot 2014 Building Capacity to Serve Communities Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, with no requirement for matching funds, at a regularly-scheduled, public meeting on the evening of Wednesday, June 25, 2014.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, the Edison Department of Health and Human Services (EDHHS), through the Edison Municipal Alliance (EMA), established the noted BRIDGES (Building Relationships In Diversified Groups of Edison Students) program 17+ years ago, which it continues to effectively administer for the documented benefit of local students and their families to encourage positive, healthy behavior as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Lowe's Foundation recently announced funding available through its 2014 Public Education Program for grants ranging from \$5,000 to \$25,000; and

WHEREAS, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, intends to apply to the Lowe's Foundation 2014 Public Education Program for a grant not to exceed the maximum amount of \$25,000; and

WHEREAS, no cash or in-kind match is required of awardees of grants from the Lowe's Foundation 2014 Public Education Program; and

WHEREAS, upon award, the EDHHS EMA/BRIDGES MCCHC TEEN PROGRAM, will secure the financial support required to continue its MCCHC TEEN ARTS PROGRAM through 2014 and into 2015; and

WHEREAS, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, will utilize all resources and grant funds awarded by Lowe's Foundation 2014 Public Education Program in compliance with all applicable Federal, Middlesex County and New Jersey agency requirements, guidelines, regulations and statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of said grant application at a regularly-scheduled, public meeting on Wednesday, June 25, 2014.

EXPLANATION: A Resolution authorizing the execution of a release of developer's agreement with respect to a completed development project located at 940-946 Amboy Avenue.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, the Township of Edison ("Edison") entered a developer's agreement ("Agreement") with 940 Amboy Avenue, LLC and 946 Amboy Avenue, LLC (collectively, "Developer") in 2008 with respect to the expansion of the office building located at 940-946 Amboy Avenue in to a mixed-use commercial development; and

WHEREAS, Developer has completed the Project in accordance with the terms of the Agreement, and Developer's lenders require the issuance of a recordable form of release from the Township with respect to conditions of the Agreement; and

WHEREAS, the Township desires to execute and provide to Developer a form of release ("Release," in the form attached hereto as Exhibit A), pursuant to the Township's obligation to provide same under Section 26 of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor of Edison is hereby authorized to execute the Release 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 Release.
3. This Resolution shall take effect immediately.

EXPLANATION: A Resolution authorizing the execution of a Developer's Agreement with Old Dominion Freight Line,

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, Old Dominion Freight Line, Inc. (the "**Applicant**") is the owner of land commonly known as Block 22, Lots 4-Q-2 and 17 on the tax map of the Township of Edison (the "**Property**") and applied to the Zoning Board of Adjustment (the "**Board**") seeking preliminary and final major site plan approval, use variance and a minor bulk variance to exceed the maximum impervious coverage and to permit the construction of various additions and the approval of a temporary trailer for staff during construction, as more fully detailed in the application to the Board (Zoning Board Application No.: Z-41-2013) (collectively, the "**Project**"); and

WHEREAS, by resolution dated December 17, 2013, the Board granted Applicant preliminary and final site plan, use variance approval and a minor bulk variance with various conditions described therein (the "**Board Approval**"); and

WHEREAS, one condition of the Board Approval is the execution of a Developer's Agreement in the form attached hereto as Exhibit A with the Township of Edison to memorialize the terms and conditions relating to Applicant's construction of the Project (the "**Developer's Agreement**"); and

WHEREAS, the Township Council has reviewed the Board Approval and the Developer's Agreement and has determined that it is in the best interests of the Township of Edison to authorize the execution of the Developer's Agreement.

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

Section 1. The Mayor, or his designee, is hereby authorized to execute the Developer's Agreement in the form attached hereto as Exhibit A, with any amendments, changes or revisions deemed appropriate by the Mayor in consultation with Township staff and professionals.

Section 2. All fees of the Township staff and professionals relating to the Developer's Agreement and the Project shall be paid by the Applicant.

Section 3. Upon execution, the Developer's Agreement shall be recorded in the Middlesex County Clerk's office and all escrows and bonding requirements shall be posted by the Applicant with the Township in accordance with the terms of the Developers' Agreement

Section 4. This Resolution shall take effect immediately.

Explanation: An Ordinance changing the zoning of Block 4-A, Lot 23 on Plainfield Avenue and Block 182-A, Lot 9A2 on Route 1 as recommended in the 2013 Master Plan Review.

TOWNSHIP OF EDISON

ORDINANCE _____

WHEREAS, the purpose of this Ordinance is to clarify and correct the zoning of Block 4-A, Lot 23 on Plainfield Avenue and Block 182-A, Lot 9A2 on Route 1 per revisions to the master plan reexamination report entitled: "Master Plan Reexamination Report, Township of Edison, Middlesex County, State of New Jersey" prepared by Bignell Planning Consultants, Inc., dated February 2011, revised September 2013 and November 2013 which were adopted by Planning Board Resolution on November 18, 2013 (the "**2013 Master Plan Review**") and

WHEREAS, after the Planning Board adopted the master plan reexamination report entitled: "Master Plan Reexamination Report, Township of Edison, Middlesex County, State of New Jersey" prepared by Bignell Planning Consultants, Inc., dated February 2011 by Planning Board Resolution on April 14, 2011 (the "**2011 Master Plan Review**"), the Township Council adopted Ordinance O.1782-2011 and Ordinance O.1787-2011 to effectuate the zoning changes recommended in that Master Plan review, and

WHEREAS, it has been discovered that Ordinance O.1787-2011 contained two (2) provisions which need to be clarified and corrected, being:

- (1) Ordinance O.1787-2011 in the seventh whereas paragraph incorrectly states, based upon the 2011 Master Plan Review, that: "the zoning for Block 4-A, Lot 23 along Plainfield Avenue should not be changed and should remain in the GB zoning district and that change is properly included herein." That will be corrected herein, as recommended in the 2013 Master Plan Review, to clarify that Block 4A, Lot 23 is left in the ROL Zone, its current zone; and
- (2) Ordinance O.1787-2011 in the eighth whereas paragraph stated, that: "it has also been determined, in consultation with the Planner for the Township Planning Board, that the zoning change for Block 182-A, Lot 9A2 along Route 1 from the R-B to the GB-H zoning district was inadvertently omitted from Ordinance O.1782-2011 and that change is properly included herein" As Block 182-A, Lot 9A2 was not addressed in the 2011 Master Plan Review, the zoning was not authorized to be changed by Ordinance O.1787-2011. That will be corrected herein, as the 2013 Master Plan Review now includes changing the zone of Block 182-A, Lot 9A2 from the R-B to the GB-H zoning district; and

WHEREAS, in part, the 2013 Master Plan Review recommends that the zoning of certain properties be changed and the Edison Township Council wishes to implement those recommendations; and

WHEREAS, the Township Clerk shall provide notice, pursuant to *N.J.S.A. 40:55D-15* of the Municipal Land Use Law, by personal service or certified mail to the clerk and any adjoining municipality involving property situated within 200 feet of such adjoining municipality and to the county planning board at least 10 days prior to the date of the Township Council hearing on the adoption of this Ordinance which notice shall state the date, time and place of the hearing and include a copy of this Ordinance; and

WHEREAS, as the Planning Board complied with the notice provisions of *N.J.S.A. 40:55D-13* of the Municipal Land Use Law notice to individual property owners and those within 200 feet of the affected properties is not required for the change in the zoning district classification for the affected properties as provided for in *N.J.S.A. 40:55D-62.1* of the Municipal Land Use Law, however the Township Clerk shall provide notice to any military facility commander who has registered with the municipality pursuant to section 1 of P.L. 2005, c. 41 (*N.J.S.A. 40:55d-12.4*) by personal service or certified mail at least 10 days prior to the date of the Township Council hearing on the adoption of this Ordinance which notice shall state the date, time and place of the hearing and include a copy of this Ordinance, and

WHEREAS, prior to the Township Council hearing on the adoption of this Ordinance it shall be referred to the Planning Board as required by *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law; and

WHEREAS, within 30 days of the adoption of this Ordinance the Township Clerk shall provide notice, pursuant to *N.J.S.A. 40:55D-15* of the Municipal Land Use Law, by personal service or certified mail to the county planning board which notice shall state the effective date of this Ordinance and include a copy of this Ordinance and include a copy of this Ordinance; and

NOW, THEREFORE BE IT ORDAINED, BY THE COUNCIL OF THE TOWNSHIP OF EDISON AS FOLLOWS:

Section 1. The zoning district classifications for the following properties are changed as follows:

| STREET | BLOCK | LOT | CURRENT ZONE | NEW ZONE |
|----------------|--------------|------------|---------------------|-----------------|
| | | | | |
| Plainfield Ave | 4-A | 23 | ROL | ROL |
| | | | | |
| Route 1 | 182-A | 9A2 | R-B | GB-H |

Section 2. The official Zoning Map of the Township of Edison shall be and the same herein is amended to change the zoning district classification for the aforementioned properties as indicated.

Section 3. 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 4. All ordinances or parts or ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**TOWNSHIP OF EDISON
ORDINANCE NO. ____**

**ORDINANCE OF THE TOWNSHIP OF EDISON IN THE COUNTY OF
MIDDLESEX, NEW JERSEY VACATING A PORTION OF LAMBERT
AVENUE PURSUANT TO N.J.S.A. 40:67-19.**

WHEREAS, pursuant to N.J.S.A. 40:67-19, (the “Act”) the municipal council (the “Township Council”) of the Township of Edison (the “Township”) may determine that a dedication of lands as a public street that has not been accepted or opened by the Township may be released by ordinance if it appears that the public interest would be better served by releasing those lands from such dedication; and

WHEREAS, Lambert Avenue is a public street in the Township that extends approximately 200 feet onto the property commonly known as Block 182-A, Lots 4A, 5, 7Y and 9A2, owned by Terminal Services & Oil Co. (the “Site”), which portion of Lambert Avenue has been dedicated for use as a public street, but has never been opened as such; and

WHEREAS, the Township has received a written request dated December 21, 2012 from Stephen E. Barcan for the owner of the Site, requesting vacation of the portion of Lambert Avenue that falls on the Site since same has not been, and will likely not be developed as a street; and

WHEREAS, the Township has determined that vacation of all but 20 feet of the portion of Lambert Avenue on the Site would be in the best interests of the community as that portion of the road will not be used as a public road and, as such, would not otherwise service the community; provided, that, the Township shall retain 20 feet of the portion of Lambert Avenue that extends on to the Site for snow removal purposes for the Township.

NOW, THEREFORE BE IT ORDAINED, BY THE COUNCIL OF THE TOWNSHIP OF EDISON AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated as if set forth in full herein.

Section 2. In accordance with the provisions of the Act, the Township Council hereby vacates the last 180 feet of that portion of Lambert Avenue on the Site and releases such property from the dedication of the land for a public street and extinguishes the public right arising from such dedication; provided however, that all rights and privileges possessed by public utilities, as defined in R.S.48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L.1972, c. 186, to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, are expressly reserved and excepted from the vacation set forth above.

Section 3. Notwithstanding the foregoing, the portion of Lambert Avenue that extends 20 feet onto the Site shall not be released from dedication as a public street and shall be retained for use by the Township for municipal purposes, including snow removal.

Section 4. The Mayor or Business Administrator, in consultation with Township staff and professionals, shall take such steps as may be necessary for the Township to deed the vacated portion of Lambert Avenue as set forth above to the owner of the Site.

Section 5. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten days prior to the public hearing and adoption hereof.

Section 6. Notice of the introduction of this Ordinance and the time and place when and where this Ordinance will be further considered for public hearing and final passage, including a copy of this Ordinance, shall be mailed to every person whose lands may be affected by this Ordinance, so far as same may be ascertained, directed to the last known post-office address, in accordance with the provisions of N.J.S.A. 40:49-6.

Section 7. Within 60 days after adoption of this Ordinance, the City Clerk shall cause this Ordinance, certified by him, under the seal of the municipality to be filed in the office wherein conveyances of lands are recorded in the County of Middlesex.

Section 8. This Ordinance shall take effect as provided by law.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$11,940,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,371,899 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$11,940,500, and further including the aggregate sum of \$568,601 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$11,371,899 pursuant to

the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| <u>Purpose</u> | <u>Appropriation & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds & Notes</u> | <u>Period of Usefulness</u> |
|--|---|--|-----------------------------|
| a) The acquisition of an audio recording system and 911 upgrade - Phase I - for the Police Department, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto. | \$1,750,000 | \$1,666,666 | 10 years |
| b) The acquisition of furniture/carpeting and a van for the Police Department, including all related costs and expenditures incidental thereto. | \$238,000 | \$226,666 | 5 years |
| c) The acquisition of DPW asphalt and related materials and public works equipment, including all related costs and expenditures incidental thereto. | \$4,700,000 | \$4,476,190 | 15 years |

| | | | |
|--|-------------|-------------|----------|
| d) Various building improvements, including all work and materials necessary therefor and incidental thereto. | \$2,000,000 | \$1,904,761 | 15 years |
| e) Park renovations and improvements, including all work and materials necessary therefor and incidental thereto. | \$500,000 | \$476,190 | 15 years |
| f) Information technology, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto. | \$300,000 | \$285,714 | 5 years |
| g) The acquisition of a rescue truck for Fire Department and the acquisition of fire/rescue equipment, including all related costs and expenditures incidental thereto. | \$600,000 | \$571,428 | 5 years |
| h) The acquisition of two GPM pumpers, including all related costs and expenditures incidental thereto. | \$600,000 | \$571,428 | 10 years |
| i) Engineering road resurfacing/signalized improvements, including all work and materials necessary therefor and incidental thereto. | \$932,500 | \$888,095 | 10 years |
| j) The acquisition of an animal shelter van, a senior citizen bus and a recreation van. | \$155,000 | \$147,619 | 5 years |

| | | | |
|--|---------------------|---------------------|----------|
| k) The acquisition of various recreation equipment, including all related costs and expenditures incidental thereto. | \$40,000 | \$38,095 | 15 years |
| l) The acquisition of Edison TV equipment, including all related costs and expenditures incidental thereto. | <u>\$125,000</u> | <u>\$119,047</u> | 15 years |
| TOTAL: | <u>\$11,940,500</u> | <u>\$11,371,899</u> | |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the

date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.29 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such

statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$11,371,899, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,791,075 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial

owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$8,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$8,000,000, and further including the aggregate sum of \$400,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds

are hereby authorized to be issued in the principal amount of \$7,600,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| <u>Purpose</u> | <u>Appropriation & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds & Notes</u> | <u>Period of Usefulness</u> |
|--|---|--|-----------------------------|
| a) Various sewer improvements, including the repair, relining and rebuilding of the sanitary sewer from Sutton's Lane to Division Street, upgrades to the Metuchen, Oxford and Bamberger's pump stations, construction of bypass lines for pump stations at Progress Street, Tingley Lane and Dogwood Station, repairs to force main/trunk line at Johnson Park, and sanitary sewer collection system improvements and upgrades, including all work and materials necessary therefor and incidental thereto. | \$7,360,000 | \$6,992,000 | 40 years |
| b) The acquisition of various equipment, including all related costs and | | | |

| | | | | | | | |
|--------------------------|------------|--|--------------------|--|--------------------|--|----------|
| expenditures thereto. | incidental | | \$640,000 | | \$608,000 | | 15 years |
| TOTAL: | | | <u>\$8,000,000</u> | | <u>\$7,600,000</u> | | |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance

by \$7,600,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time

in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Explanation: An Ordinance amending the Chapter VI of the Township Code to authorize the Township's issuance of new plenary retail distribution licenses up to the limit allowed by State law.

ORDINANCE

EDISON TOWNSHIP

WHEREAS, there are presently six (6) plenary retail distribution licenses of the Township of Edison ("Township") held by licensees; and

WHEREAS, pursuant to *N.J.S.A. 33:1-12.14*, new plenary retail distribution licenses may be issued in a municipality so long as the number of such licenses existing in the municipality is not greater than one for each 7,500 of its population according to the most recent estimates issued by the U.S. Bureau of the Census;

WHEREAS, the Township has a population of nearly 100,000 people and may issue several new plenary retail distribution licenses under State law; and

WHEREAS, the Township Code of Ordinances ("Code") at Chapter VI, Section 6-3.5 currently provides for the issuance of up to seven (7) plenary retail distribution licenses; and

WHEREAS, the Municipal Council of the Township ("Municipal Council") has determined it is reasonable and desirable to amend Chapter VI of the Code ("Code") to allow for the Township's issuance of new plenary retail distribution licenses up to the limit allowed by State law; and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter VI, Section 6-3.5 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

"6-3.5 Plenary Retail Distribution Licenses.

a. The annual license fee and maximum number of licenses for plenary retail distribution license shall be as follows:

| <i>Class of License</i> | <i>Annual License Fee</i> | <i>No. of Licenses</i> |
|-----------------------------|--|--|
| Plenary Retail Distribution | \$1,157.06 (2008/2009) \$1,388.47 (2009/2010) \$1,666.16 (2010/2011) \$1,999.39 (2011/2012) \$2,399.26 (2012/2013) \$2,500.00 (2013/2014) | [7] <u>Up to maximum</u> <u>allowed under</u> <u>N.J.S.A. 33:1-12.14</u> |

b. The holder of such license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the premises, but only in original containers."

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter VI, Section 6-3.5 of the Code to read as follows:

"6-3.5 Plenary Retail Distribution Licenses.

a. The annual license fee and maximum number of licenses for plenary retail distribution license shall be as follows:

| <i>Class of License</i> | <i>Annual License Fee</i> | <i>No. of Licenses</i> |
|-----------------------------|---------------------------|--|
| Plenary Retail Distribution | \$1,157.06 (2008/2009) | Up to maximum allowed under <i>N.J.S.A. 33:1-12.14</i> |
| | \$1,388.47 (2009/2010) | |
| | \$1,666.16 (2010/2011) | |
| | \$1,999.39 (2011/2012) | |
| | \$2,399.26 (2012/2013) | |
| | \$2,500.00 (2013/2014) | |

b. The holder of such license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the premises, but only in original containers.”

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter VI of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the issuance of plenary retail distribution licenses heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

7. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

8. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

9. 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 AUTHORIZING ADDITIONAL FUNDS TO TRIAD ASSOCIATES, INC. FOR
AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES – MARKET TO AFFORDABLE
PROGRAM**

WHEREAS, TRIAD ASSOCIATES, INC., was awarded RFP 13-10, AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES-MARKET TO AFFORDABLE PROGRAM through Resolution R.627-102013 for a one year period effective November 7, 2013 in the amount of \$25,000.00 and that amount has been depleted; and

WHEREAS, the Township recommends that additional funds be allocated for this contract for the remainder of the contract term in the amount not to exceed \$25,000.00; and

WHEREAS, the total amount of this contract, not to exceed \$25,000.00, 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.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to allocate an additional \$25,000.00 to the contract with TRIAD ASSOCIATES, INC. as described herein.

RESOLUTION AWARDING EMERGENCY CHANGE ORDER NO. 1 TO AROLD CONSTRUCTION COMPANY, INCORPORATED FOR FROST AVENUE EAST CORRUGATED METAL PIPE REHABILITATION – CONTRACT NO. 13-28-01R - IN THE AMOUNT NOT TO EXCEED \$59,425.00 FOR A TOTAL REVISED CONTRACT AMOUNT OF \$297,425.00

WHEREAS, AROLD CONSTRUCTION COMPANY, INCORPORATED, 51 Powder Mill Bridge Road, Kingston, NY 12401 was awarded Contract No. 13-28-01R, FROST AVENUE EAST CORRUGATED METAL PIPE REHABILITATION on May 14, 2014 through resolution R.220-052014 in the amount of \$238,000.00; and

WHEREAS, during the performance of said contract it has been discovered that the existing corrugated metal pipe storm sewer, primarily 60" CMP, located in a storm easement in the yards of Frost Avenue East, has experienced deterioration and requires immediate rehabilitation to restore structural and hydraulic stability and integrity; and

WHEREAS, the Township Engineer recommends authorization of the required Emergency Change Order No. 1 in the amount of \$59,425.00 be made to AROLD CONSTRUCTION COMPANY in an amount not to exceed \$59,425.00 for a total contract amount of \$297,425.00; and

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

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, the amount of this change order No. 1 is \$59,425.00. The total amount of this change order is more than 20% of the original contract; 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. Emergency Change Order No. 1 be awarded to AROLD CONSTRUCTION COMPANY, in an amount not to exceed \$59,425.00 resulting in a total contract amount of \$297,425.00 for 13-28-01R, FROST AVENUE EAST CMP REHABILITATION
2. A brief notice shall be printed once in an official newspaper and filed with the Township Clerk indicating the additional amount to be expended, the original contract price, the nature of the original and additional work, and why it is necessary to expend the additional funds.
3. Notice of this change order shall be filed on an Appendix to the Annual Budget and included as supplemental material in the Annual Audit.

EXPLANATION: Resolution Refunding Inspection Fees to Fox & Foxx Development, LLC,
940 Amboy Ave, NJ 08817.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was made of Fox & Foxx development located at 49 Christie Street, a/k/a 101 & 103 Jersey Ave., under Application #P5132, with site located in Block 666, Lots 5, 6, & 7; and

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

WHEREAS, on January 19, 2011 Fox & Foxx, Development, LLC posted inspection fees in the amount of \$602.00 on deposit with the Township of Edison in account #7760296127 for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$379.57; and

WHEREAS, it is in now in order that the sum of \$222.43, which represents the amount due and owing the applicant, be returned to Fox & Foxx Development, LLC Inc having offices at 940 Amboy Ave;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$708.10 plus accrued interest, if applicable, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$222.43, in account #7760296127 to the applicant.

JAM/sb

S-Karen-RetResoInspFeeRefund-Fox&Foxx49christieSta/k/a101&103Jerseyave

EXPLANATION: Resolution Refunding Tree Maintenance Cash Bond to Leonard Cursi for Site Plan Tree Plantings at 98 Sherman Blvd under Tree Permit No. 11-007.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on October 25, 2011 Leonard Cursi posted Tree Maintenance Bond fees in the amount of \$150.00 on deposit with the Township of Edison in account #7761963524 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #11-007, for property located at 98 Sherman Blvd; 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 \$150.00, 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 \$150.00 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 \$150.00, on deposit in Account #7761963524 to Leonard Cursi Construction Co Inc., having an address of 3808 Fleet Avenue, South Plainfield, N.J. 07080-4801

S:Eng-TreeMaintBondRefundReso-#11-007-LeonardCursi-98ShermanBlvd

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on March 4, 2014, a Construction (Building) Permit fee, Check #17656, permit #20140685, was posted in the total amount of \$152.00 by the contractor, 1 800 Heaters, Inc., having offices at 2 Gourmet Lane, Edison, NJ 08837; and

WHEREAS, the application was submitted for a water heater at 4 Stephenville Parkway by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$150.00, derived from the \$152.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the Homeowner Clare Beirne, residing at 4 Stephenville Parkway, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20140685, in the amount of \$150.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on construction permit fees posted by 1 800 Heaters, Inc., for 4 Stephenville Parkway be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the Homeowner, Clare Beirne at 4 Stephenville Parkway, Edison , NJ 08820.

JAM/ca

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on February 28, 2014, a Construction (Building) Permit fee, check #52233, permit #2014-0659, was posted in the total amount of \$91.00 by the contractor, ADT Security Services, having offices at 21 Northfield Avenue, Edison, NJ 08837; and

WHEREAS, the application was submitted for an alarm at 5 Fairhill Road, by the hired contractor; ADT Security Services, who did not make known to the Construction Code Enforcement Division that the homeowner, Rabbi Rosenberg, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$90.00, derived from the \$91.00 total construction permit fee less the \$1.00 DCA fee, be refunded to the contractor ADT Security Services; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2014-0659, in the amount of \$90.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$90.00 on construction permit fees posted by Defender Security Company for 5 Fairhill Road be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$90.00 from the Refund of Revenue Fund to the Contractor, ADT Security Services, 21 Northfield Avenue, Edison, NJ 08837.

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on December 9, 2013, a Construction (Building) Permit fee, Check #16266, permit #20135201, was posted in the total amount of \$152.00 by the contractor, 1 800 Heaters, Inc., having offices at 2 Gourmet Lane, Edison, NJ 08837; and

WHEREAS, the application was submitted for a water heater at 12 Independence Drive by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$150.00, derived from the \$152.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the Homeowner Marshall Wang, residing at 12 Independence Drive, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20135201, in the amount of \$150.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on construction permit fees posted by 1 800 Heaters, Inc., for 12 Independence Drive be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the Homeowner, Marshall Wang at 12 Independence Drive, Edison , NJ 08820.

JAM/ca

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on April 9, 2014, a Construction (Building) Permit fee, credit card payment for permit #20141261, was posted in the total amount of \$102.00 by the homeowner; and

WHEREAS, the application was submitted for an electrical panel at 20 Richmond Road by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$100.00, derived from the \$102.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the Homeowner James Ehnot, residing at 20 Richmond Road, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20141261, in the amount of \$100.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$100.00 on construction permit fees posted by the homeowner, James Ehnot of 20 Richmond Road be refunded to the homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$100.00 from the Refund of Revenue Fund to the Homeowner, James Ehnot at 20 Richmond Road, Edison , NJ 08817.

JAM/ca

EXPLANATION: Bond reduction and refunding a percentage of cash performance to Mocci Ferraro Plaza, LLC, for development at Jane Place & Inman Avenue.

TOWNSHIP OF EDISON

RESOLUTION:

WHEREAS, a Performance Bond #B10012025 of Aegis Security Insurance company was posted on October 30th, 2009 by Mocci Ferraro Plaza, LLC, in the amount of \$462,125.52, to guarantee the installation of improvements for the project known as Mocci Ferraro Plaza, LLC located at Jane Place & Inman Avenue, Block 429, and Lots 5-8, and 15-29, 40 & 41, and designated as Application #P28-05/06; and

WHEREAS, a Cash Performance Bond check #9287 was posted on October 30, 2009 by Mocci Ferraro Plaza, LLC in the amount of \$51,347.28, on deposit in account #7760013395; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a 30.32% bond reduction is in order; and

WHEREAS, it is the recommendation of the Township Engineer that the Performance Bond be reduced from \$462,125.52 to \$322,007.40, or reduced by 30.32 % of the original amount; therefore **refunding the amount of \$140,118.12;** and

WHEREAS, it is further the recommendation of the Township Engineer that the Cash Performance Bond be reduced from \$51,347.28 to \$35,778.60, or reduced by 30.32% of the original amount, therefore **refunding the amount of \$15,568.68, plus accrued interest, if applicable;**

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Performance Bond hereinabove mentioned be reduced to \$322,007.40, by virtue of a substitute bond or endorsement to the Performance Bond presently in place, until such time as Final Acceptance is granted.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to **refund the sum of \$15,568.68, plus accrued interest, if applicable on deposit in Account #7760013395** to Mocci Ferraro Plaza, LLC c/o Allen Weiss 2105 West County Line Road, Jackson, NJ 08527 with the sum of \$35,778.60 remaining on deposit until such time as Final Acceptance is granted.

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE A GAS BOY GASOLINE DISPENSER FROM PREFERRED PETROLEUM PRODUCTS & SERVICES THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #CK12-MIDDLESEX

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 County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, PREFERRED PETROLEUM PRODUCTS & SERVICES, 192 Clifford St., Newark, NJ 07105 has been awarded Proposal No. P-1334-1-GAS AND DIESEL PUMP REPAIR through State Coop #CK12-MIDDLESEX; and

WHEREAS, the maximum amount of the purchase shall not exceed \$10,994.34 for Repair, Supply & Installation of Gasboy Gasoline Dispenser w/Pulsers at the Police Garage; and

WHEREAS, funds in the amount of \$10,994.34 have been certified to be available in the Fuel & Lubricants-Gasoline & Diesel Fuel, Account Number 04-01-31-0460-000-074; 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 \$10,994.34, and any other necessary documents, with PREFERRED PETROLEUM PRODUCTS & SERVICES as described herein.
2. This contract/purchase order 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 **\$10,994.34** are available for the above in Account No. **4-01-31-0460-000-074**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION AWARDING CONTRACT TO “THE E STREET SHUFFLE BAND” FOR PROVIDING ENTERTAINMENT AT THE FALL FAMILY SPECTACULAR, SCHEDULED FOR SEPTEMBER 13, 2014.

RESOLUTION

WHEREAS, the Edison Department of Recreation will be hosting the Edison Fall Family Spectacular on September 13, 2014 along Amboy Avenue in the Clara Barton section of Edison; and

WHEREAS, the Department of Recreation desires to provide entertainment for said event by the “The E Street Shuffle Band”; and

WHEREAS, the Township Attorney has reviewed and approved the contract between Edison Township and “The E Street Shuffle Band” in the amount of \$2,100.00 attached hereto.

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

1. The Mayor is hereby authorized to execute a contract with The “E Street Shuffle Band”.
2. The Township Clerk is directed to forward a copy of the executed contract to Denise Halliwell-De Santis, Director of Recreation for the Department of Recreation’s records.

CERTIFICATION

I hereby certify that funding for said contract will be available in account number 4-01-30-0420-000-020.

Agnes Yang
Acting Chief Financial Officer

RESOLUTION AWARDING CONTRACT TO MAS PRODUCTIONS, FEATURING “THE FINS” BAND FOR PROVIDING ENTERTAINMENT AT THE FALL FAMILY SPECTACULAR, SCHEDULED FOR SEPTEMBER 13, 2014.

RESOLUTION

WHEREAS, the Edison Department of Recreation will be hosting the Edison Fall Family Spectacular on September 13, 2014 along Amboy Avenue in the Clara Barton section of Edison; and

WHEREAS, the Department of Recreation desires to provide entertainment for said event through Mas Productions, Inc. featuring “The Fins” band; and

WHEREAS, the Township Attorney has reviewed and approved the contract between Edison Township and Mas Productions in the amount of \$2,000.00 attached hereto.

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

3. The Mayor is hereby authorized to execute a contract with Mas Productions.
4. The Township Clerk is directed to forward a copy of the executed contract to Denise Halliwell-De Santis, Director of Recreation for the Department of Recreation’s records.

CERTIFICATION

I hereby certify that funding for said contract will be available in account number 4-01-30-0420-000-020.

Agnes Yang
Acting Chief Financial Officer

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MONIKA KOSAKOWSKI FOR THE SUMMER PLAYGROUND
PROGRAM**

WHEREAS Monika Kosakowski made payment in the amount of \$30.00 for her child, Isabella Kosakowski's participation in the Summer Playground Program at Paterniti Park; and

WHEREAS Monika Kosakowski decided not to send her child to the summer Playground Program before it started.

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 \$30.00 to Monika Kosakowski, 25 Outcolt Rd., Edison, NJ 08817, which amount represents the overpayment for the Sumer Playground Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$30.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
CHRISTINE JONES FOR THE ABC PROGRAM**

WHEREAS Christine Jones made payment in the amount of \$260.00 for her child, Thomas Jones' participation in the before and afternoon ABC Program at Ben Franklin Elementary School for the month of May; and

WHEREAS Christine Jones lost her job and removed Thomas Jones from the program before he attended in May.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$260.00 to Christine Jones, 134 Ethel Rd., Edison, NJ 08817, which amount represents the overpayment for the ABC program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$260.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

R.

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Garden State Fireworks to discharge fireworks for an Independence Day Celebration taking place on the grounds of Lake Papaiani, scheduled for July 4, 2014 with no rain date.

TOWNSHIP OF EDISON

RESOLUTION R. _____

Whereas, Garden State Fireworks has applied to the Township of Edison for a permit to discharge fireworks on July 4, 2014 with no rain date scheduled, for an Independence Day Celebration taking place on the grounds of Lake Papaiani; and

Whereas, Garden State Fireworks has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

Whereas, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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 Township Council does hereby grant permission for Garden State Fireworks to conduct a fireworks display on the evening of July 4, 2014 With a rain date of July 5, 2014 at approximately 9:00 p.m. on the grounds of Lake Papaiani in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), (WAIVED) **2.** Garden State Fireworks posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Garden State Fireworks post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township Clerk of Edison Township is directed to forward a copy of this Resolution to Garden State Fireworks, the Fire Prevention Bureau, Division of Fire and Division of Police.

R.

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Garden State Fireworks to discharge fireworks for an Independence Day Celebration at the Plainfield Country Club, scheduled for July 3, 2014 with a rain date of July 5, 2014.

TOWNSHIP OF EDISON

RESOLUTION R. _____

Whereas, Garden State Fireworks has applied to the Township of Edison for a permit to discharge fireworks on July 3, 2014 with a rain date of July 5, 2014, for an Independence Day Celebration taking place at the Plainfield Country Club; and

Whereas, Garden State Fireworks has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

Whereas, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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 Township Council does hereby grant permission for Garden State Fireworks to conduct a fireworks display on the evening of July 3, 2014 With a rain date of July 5, 2014 at approximately 8:30 p.m. on the grounds of the Plainfield Country Club in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Garden State Fireworks posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Garden State Fireworks post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township clerk of Edison Township is directed to forward a copy of this Resolution to Garden State Fireworks, the Fire Prevention Bureau, Division of Fire and Division of Police.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC.
FOR THE PURCHASE OF SIX (6) PORTABLE RADIOS FOR THE DIVISION OF FIRE**

WHEREAS, there is a need to purchase six portable radios for the Division of Fire; and

WHEREAS, MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 has been awarded State Contract Number A83909 under T-0109/Radio Communication Equipment and Accessories; and

WHEREAS, funds in the amount of \$31,965.00 have been certified to be available in the Fire Fighting Elect., Lighting, Comm. Equip. Account, Number 4-01-25-0265-001-054; 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 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 of \$31,965.00, and any other necessary documents, with MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505, for the purchase of six portable radios for the Division of Fire 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. A83909/T-0109.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$31,965.00** are available for the above in Account No. **4-01-25-0265-001-054**.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR
THE FURNISHING OF WARRANTIES FOR YEARS FOUR AND FIVE ON FOURTEEN (14)
PANASONIC TOUGHBOOKS FOR THE DIVISION OF POLICE**

WHEREAS, there is a need to purchase warranties for years four and five for fourteen Panasonic Toughbooks for the Division of Police; and

WHEREAS, CDW GOVERNMENT, LLC, 2 Corporate Dr., Suite 800, Shelton, CT 06484, has been awarded State Contract Number 75583 under M-0483/WSCA Computer Contract; and

WHEREAS, funds in the amount of \$7,371.00 have been certified to be available in the Federal Forfeited Property Account, Number T-13-00-0000-000-008; 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 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 in the amount not to exceed \$7,371.00 and any other necessary documents, with CDW GOVERNMENT, LLC, 2 Corporate Dr., Suite 800, Shelton, CT 06484, 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. 75583 under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$7,371.00** are available for the above contract in Account No. **T-13-00-0000-000-008**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO KUSTOM SIGNALS, INC. FOR SOFTWARE UPGRADE

WHEREAS, the Edison Police Division is in need of upgrading their software for their in car mobile video recorders; and

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

WHEREAS, KUSTOM SIGNALS, INC., 9652 Loriet Blvd., Lenexa, KS 66219, has submitted a proposal to provide such services, including setup, installation, training and support for a total cost of \$5,500.00; and

WHEREAS, funds in the amount of \$5,500.00 have been certified to be available in the Federal Forfeited Property Account, Number T-13-00-0000-000-008; 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 and any other necessary documents, in the amount of \$5,500.00, with KUSTOM SIGNALS, INC., 9652 Loriet Blvd., Lenexa, KS 66219 as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,500.00** are available for the above in Account No. **T-13-00-0000-000-008**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION

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.

LICENSE NUMBER

LICENSEE AND LOCATION

ADDRESS

1205-44-067-001

Wine Amphorae E. Brunswick, LLC Edison, NJ 08817
t/aJoe Canal's Discount Liquor
883 U.S. Highway #1

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, 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> |
|------------------------------|--|------------------------|
| 1205-33-013-010 | Norstar & Company, Inc. t/a Grand Shanghai 700 Route 1 | Edison, NJ INACTIVE |

RESOLUTION

WHEREAS, N.J.S.A. 40A:9-133 allows the Governing Body of a Municipality to appoint an Acting Municipal Clerk for a term of one year;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Cheryl Russomanno, 38 New Brooklyn Road, Edison, New Jersey 08817, be and she is hereby appointed to the position of Acting Municipal Clerk of the Township of Edison, Middlesex, New Jersey to serve a term of one year effective July 1, 2014.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR PAYMENT TO LOUIS RAINONE OF
DECOTIIS, FITZPATRICK & COLE, LLP FOR PREVIOUSLY HANDLED LEGAL MATTERS FOR THE
YEARS 2010 AND 2011**

WHEREAS, there are outstanding legal bills for the years 2010 and 2011 due Louis Rainone, Esq., of DeCotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Teaneck, NJ 07666 who at that time represented the Township of Edison as Labor Counsel and other matters; and

WHEREAS, compensation for these professional services are at a rate of \$140 per hour for all attorneys and \$70 per hour for legal assistants; and

WHEREAS, the outstanding legal bills for the year of 2010 are in the amount of \$4,202.81 and the outstanding legal bills for the year of 2011 are in the amount of \$29,334.59; and

WHEREAS, funds in the amount of \$33,537.40 have been certified to be available in the Deferred Charges – PY Bills Account, Number 3-01-46-0880-000-020; and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to Louis Rainone, Esq., of DeCotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd, Teaneck, NJ 07666 as stated herein.

CERTIFICATION

I hereby certify that funds in the amount of **\$33,537.40** are available for the above in Account No.3-01-46-0880-000-020.

Agnes Yang
Acting Chief Financial Officer

Date

