

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, July 23, 2014
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 14, 2013, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Closed Session Meeting of June 9, 2014
5. **COUNCIL PRESIDENT'S REMARKS:**
6. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

O.1872-2014 BOND ORDINANCE FOR VARIOUS CAPTIAL 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.

O.1873-2014 BOND ORDINANCE 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.

O.1874-2014 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.

O.1875-2014 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.

O.1876-2014 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.

7. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
AUGUST 27, 2014.**

O.1877-2014 ORDINANCE AMENDING CHAPTER XXX OF THE TOWNSHIP CODE TO CLARIFY THE SCOPE OF PROJECTS WHICH SHALL INCUR COAH DEVELOPMENT FEES, AS PROVIDED UNDER COUNCIL ON AFFORDABLE HOUSING REGULATIONS.

O.1878-2014 ORDINANCE AMENDING CHAPTER XXV OF THE TOWNSHIP CODE TO REDUCE THE REPLACEMENT TREE WARRANTY PERIOD AND DELINEATE THE TREE REPLACEMENT REQUIREMENTS FOR NEW AND RECONSTRUCTION DEVELOPMENT PROJECTS WHICH EXCEED IMPERVIOUS COVERAGE OF 200,000 SQUARE FEET.

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

9. **PROPOSED RESOLUTIONS**

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

Consent Agenda

R.319-072014 Resolution approving disbursements for the period ending July 17, 2014.

R.320-072014 Resolution authorizing refund in the amount of \$362,989.58 for redemption of tax sale certificates.

R.321-072014 Resolution authorizing refund for tax overpayments totaling \$34,408.08.

R.322-072014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal with Freeze Act Provision to OTR Associates in the amount of \$158,179.32.

- R.323-072014 Resolution authorizing overpayment refund caused by successful tax court Appeal to R & D realties, LLC in the amount of \$188,257.03.
- R.324-072014 Temporary Budget Appropriations.
- R.325-072014 Resolution canceling a Tax Sale Certificate issued to an outside lien holder on a Township owned Property to US Bank Cust/Crestar Capital in the amount of \$12,557.02.
- R.326-072014 Resolution authorizing the appointment of David R. Spevack as a Prosecutor for The Township of Edison.
- R.327-072014 Resolution authorizing the sale of surplus personal property no longer needed on online Auction website.
- R.328-072014 Resolution authorizing the execution of releases of developer's agreement with respect to completed development projects located at 100 Blue Heron Way and 155 Clover Place, Edison.
- R.329-072014 Resolution authorizing Second Amendment to Developers Agreement for 33 Liddle Avenue Senior Citizen Residential Project.
- R.330-072014 Award of Contract for Public Bid No. 14-03-01 HVAC Maintenance and repairs to GRM Facilities Management, Inc. in an amount not to exceed \$20,495.00.
- R.331-072014 Resolution refunding Tree Maintenance Bond to Prasenjit Ghosh for site at 226 Garfield Street, under Tree Permit No. 10-093 in the amount of \$3,750.00
- R.332-072014 Resolution refunding Tree Maintenance Bond to Alok Sood for 2 Quincy Rd. under Tree Permit No. 10-138 in the amount of \$2,700.00.
- R.333-072014 Resolution refunding Tree Maintenance Bond to Federal Business Centers for 100 Blue Heron Way under Tree Permit No. 07-060 in the amount of \$405.00.
- R.334-072014 Resolution refunding Tree Performance Cash Bond to Middlesex Logistics Owner, LLC in the amount of \$15,000.00.
- R.335-072014 Resolution Refunding Inspection fees to Federal Business Centers, Inc. for 155 Clover Place in the amount of \$708.10..
- R.336-072014 Resolution refunding Cash Performance Bond and Performance Bond to Federal Business Centers for 155 Clover Place in the amount of \$17,668.02.
- R.337-072014 Resolution authorizing the allocation of additional Affordable Housing funds to the Special Needs Housing Partnership in the amount of \$50,000.00 for the purchase and rehab of 2031 Oak Tree Road.
- R.338-072014 Resolution provides for the Township Acceptance of the constructed improvements under Public Bid No. 11-02-06R: Police Division Renovations, and this resolution also authorizes Final Contract Payment in an amount not to exceed \$1,826.00 to Kappa Construction Corp. for a total construction contract as built cost of \$1,166,242.84(\$1,143,000.00 original bid).
- R.339-072014 Resolution amending Resolution R.110-032014 and approves the receipt of the FY2014 Community Development Block Grant in the amount of \$528,289 and approves the attached amended projects and activities funded by this grant.
- R.340-072014 Resolution to release Street Opening Escrow to Shailesh P. Bhisare and Mahesh D. Swali in the amount of \$4,560.00.

- R.341-072014 Awarding Contract for Public Bid No. 14-07-25RR for light truck transmission repair to Transxle, LLC in an amount not to exceed \$25,000.00.
- R.342-072014 Resolution rejecting all bids for Overhead Lubricant Dispensing System.
- R.343-072014 Resolution authorizing a refund for Teen Center Program to David Ye in the amount of \$10.00.
- R.344-072014 Resolution authorizing a refund for Rental of Yelencsics Park to Ruthe Geradino in the amount of \$144.00.
- R.345-072014 Resolution sets park and recreation fees.
- R.346-072014 Award of Contract for Public Bid No. 14-10-02 Emergency Vehicle Repairs to Absolute Fire Protection Company in the amount not to exceed \$250,000.00.
- R.347-072014 Award of Contract for Public Bid No. 14-06-25 Turnout Gear Repair to Braodway Minerva Cleaners dba Mnerva Bunker Gear Cleaners in an amount not to exceed \$20,000.00.
- R.348-072014 Awarding Contract/Purchase order for Two (2) Panasonic Toughbooks for the Fire Division to CDW Government in the amount of \$5,870.00.
- R.349-072014 Resolution authorizing the sale of surplus personal property no longer need for public use to the East Brunswick Police Department two 2007 Crown Victoria K9 vehicles in the amount of \$10,000.00
- R.350-072014 Awarding Contract/Purchase order for repair and maintenance of 911 telephone recording system to Value Added Voice Solutions, LLC in the amount of \$30,000.00.
- R.351-072014 Awarding of a Non-fair and Open Contract for Maintenance and support of the Proprietary Software Computer aided dispatch (CAD) and records management system (RMS) for Police and Fire Divisions to Queues Enforth Development, Inc. in the amount of \$34,782.00.
- R.352-072014 Resolution authorizing the sale of Two (2) Plenary Retail Distribution Liquor Licenses and further authorizing the Township Clerk to advertise for bid proposals for same pursuant to N.J.S.A 33:1-19-.1.
- R.353-072014 Resolution to waive permit fees to Our Lady of Peace Church.
- R.354-072014 Resolution appointing Jeffrey Reeves as a Member to the Zoning Board of Adjustment.
- R.355-072014 Resolution for Liquor License Renewal year 2014-2015 for Royal Garden, Inc.

10. **ORAL PETITIONS AND REMARKS**

11. **ADJOURNMENT**

ORDINANCE O.1872-2014

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.

ORDINANCE O.1873-2014

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 incidental thereto.	\$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.

**TOWNSHIP OF EDISON
ORDINANCE NO. _O.1874-2014__**

**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.

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 O.1875-2014

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.

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 O.1876-2014

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)	[7] <u>Up to maximum</u> <u>allowed under</u> <u>N.J.S.A. 33:1-12.14</u>
	\$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."

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.

Explanation: An Ordinance amending Chapter XXX of the Township Code to clarify the scope of projects which shall incur COAH development fees, as provided under Council on Affordable Housing regulations.

ORDINANCE O.1877-2014

EDISON TOWNSHIP

WHEREAS, regulations promulgated by the New Jersey Council on Affordable Housing (“COAH”) allow municipalities to collect development fees with respect to real estate development in certain instances; and

WHEREAS, the Township of Edison (“Township”) has adopted and codified a development fee ordinance approved by COAH; and

WHEREAS, the Township desires to amend its development fee ordinance to clarify that development fees shall be due and collected with respect to both new construction and when an existing structure is expanded, undergoes a change to a more intense use or is demolished and replaced, as authorized by COAH regulations at *N.J.A.C. 5:97-8.3(e)(2)*; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to amend the definition of “development fees” as found in Chapter XXX, Section 30-1.2 of the Township Code (“Code”) to clarify when development fees shall be incurred with respect to development project(s); and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter XXX, Section 30-1.2 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“Development fees means money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in N.J.A.C. [5:98-8.1] 5:97-8.3 et seq. Development fees may be imposed and collected as to new construction as well as to when an existing structure is expanded, undergoes a change to a more intense use, or is demolished and replaced. New construction fees shall be based on the equalized assessed value of land and improvements. Fees that result from additions and alterations shall be based on the increase in equalized assessed value that results only from the addition or alteration.”

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 XXX, Section 30-1.2 of the Code to read as follows:

“Development fees means money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in N.J.A.C. 5:97-8.3 et seq. Development fees may be imposed and collected as to new construction as well as to when an existing structure is expanded, undergoes a change to a more intense use, or is demolished and replaced. New construction fees shall be based on the equalized assessed value of land and improvements. Fees that result from additions and alterations shall be based on the increase in equalized assessed value that results only from the addition or alteration.”

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 XXX of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the collection of development fees pursuant to COAH regulations heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

4. 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.

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

6. Prior to final adoption, this Ordinance shall be reviewed and approved by COAH, as required by *N.J.A.C. 5:96-5.2*.

7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Explanation: An Ordinance amending Chapter XXV of the Township Code to reduce the replacement tree warranty period and delineate the tree replacement requirements for new and reconstruction development projects which exceed impervious coverage of 200,000 square feet.

ORDINANCE O.1878-2014

EDISON TOWNSHIP

WHEREAS, the Township of Edison (“Township”) has enacted an ordinance establishing conditions, standards and procedures for the removal and replacement of trees, and for the preservation of mature vegetation within the Township; and

WHEREAS, the Township Code of Ordinances (“Code”) at Chapter XXV, Section 25-12.1 currently requires the posting of a performance bonding for two growing seasons with respect to replacement trees planted pursuant to the Code, to be utilized to replace trees which die or are damaged during the two year period; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to amend Section 25-12.1 of the Code to reduce the bonding period for replacement trees from two growing seasons to one growing season; and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter XXV, Section 25-12.1 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“The applicant shall post a bond covering fifteen (15%) percent of the cost of the tree replacement plan, including all labor costs, prior to the final engineering approval for the release of the performance guarantees, if any. The bond shall be held for [two (2)] one (1) growing season[s] after the cessation of construction or land disturbance on the site. Funds shall be used to replace trees which die or are damaged during this [two (2)] one (1)-year growing season period in the event that the applicant fails in his, her or its duty to replace trees. If the Township replaces trees under this provision, all administrative fees to cover the Township's costs including the cost of replacement trees, labor, and materials shall be deducted from any amount of funds to be returned to the applicant. Any unused funds shall be returned to the applicant at the end of the [two (2)] one (1)-year period.”

WHEREAS, the Code at Chapter XXV, Section 25-9 currently requires the planting of a certain number of trees in connection with development projects entailing additional or reconstructed impervious coverage;

WHEREAS, the Municipal Council has determined it is reasonable and desirable to amend Section 25-9 of the Code to further delineate the specific tree planting requirements for all development projects with new or reconstructed impervious coverage exceeding 200,000 square feet; and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter XXV, Section 25-9.1(d) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“d. On parcels to be developed where less than ten (10%) percent of the site is wooded area, in addition to any trees that must be replaced or provided under this chapter, there shall be required the addition of one (1) tree for every one thousand (1,000) square feet of new or reconstructed impervious coverage. Trees incorporated in a landscaping plan or required for rights-of-way may not be credited toward this requirement. The following tree replacement schedule shall apply to all development with new or reconstructed impervious coverage exceeding 200,000 square feet.”

Project Size
(s.f. of impervious coverage)

Number of Trees

<u>Up to 200,000 s.f.</u>	<u>One (1) tree per 1,000 s.f.</u>
<u>Up to 500,000 s.f.</u>	<u>One (1) tree per 2,000 s.f.</u>
<u>Up to 600,000 s.f.</u>	<u>One (1) tree per 2,500 s.f.</u>
<u>Up to 700,000 s.f.</u>	<u>One (1) tree per 3,000 s.f.</u>
<u>Up to 800,000 s.f.</u>	<u>One (1) tree per 3,500 s.f.</u>
<u>Up to 900,000 s.f.</u>	<u>One (1) tree per 7,500 s.f.</u>
<u>Up to 1,000,000 s.f.</u>	<u>One (1) tree per 10,000 s.f.</u>
<u>Over 1,000,000 s.f.</u>	<u>One (1) tree per 15,000 s.f.”</u>

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 XXV, Section 25-12.1 of the Code to read as follows:

"The applicant shall post a bond covering fifteen (15%) percent of the cost of the tree replacement plan, including all labor costs, prior to the final engineering approval for the release of the performance guarantees, if any. The bond shall be held for one (1) growing season after the cessation of construction or land disturbance on the site. Funds shall be used to replace trees which die or are damaged during this one (1)-year growing season period in the event that the applicant fails in his, her or its duty to replace trees. If the Township replaces trees under this provision, all administrative fees to cover the Township's costs including the cost of replacement trees, labor, and materials shall be deducted from any amount of funds to be returned to the applicant. Any unused funds shall be returned to the applicant at the end of the one (1)-year period."

3. The Municipal Council hereby amends Chapter XXV, Section 25-9.1(d) of the Code to read as follows:

"d. On parcels to be developed where less than ten (10%) percent of the site is wooded area, in addition to any trees that must be replaced or provided under this chapter, there shall be required the addition of one (1) tree for every one thousand (1,000) square feet of new or reconstructed impervious coverage. Trees incorporated in a landscaping plan or required for rights-of-way may not be credited toward this requirement. The following tree replacement schedule shall apply to all development with new or reconstructed impervious coverage exceeding 200,000 square feet.

Project Size (s.f. of impervious coverage)	Number of Trees
Up to 200,000 s.f.	One (1) tree per 1,000 s.f.
Up to 500,000 s.f.	One (1) tree per 2,000 s.f.
Up to 600,000 s.f.	One (1) tree per 2,500 s.f.
Up to 700,000 s.f.	One (1) tree per 3,000 s.f.
Up to 800,000 s.f.	One (1) tree per 3,500 s.f.
Up to 900,000 s.f.	One (1) tree per 7,500 s.f.
Up to 1,000,000 s.f.	One (1) tree per 10,000 s.f.
Over 1,000,000 s.f.	One (1) tree per 15,000 s.f.”

4. 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 XXV of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances respecting tree replacement heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

5. 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.

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

7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

RESOLUTION R.319-072014

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING July 17, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through July 17, 2014.

FUND	AMOUNT
Current	\$8,205,486.17
Affordable Housing	3,522.95
Capital	242,395.71
Cash Performance	15,685.59
CDBG	337,974.57
Developers Escrow	39,551.02
Dog (Animal Control)	28,945.49
Federal Forfeited	10,177.40
Grant Funds	2,969.59
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	921,223.64
Sanitation Fund	439,132.85
Sewer Utility	4,126,092.07
Tax Sale Redemption	77,784.81
Tree fund	17,647.10
Tree Planting	150.00
Trust	126,069.80
TOTAL	\$14,594,808.76

/s/ Agnes Yang
Acting Chief Financial Officer

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

RESOLUTION R.320-072014

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 **\$362,989.58**.

July 23, 2014

RESOLUTION R.323-072014
Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	R & D REALTIES, LLC C/O DILEO-BRAM
PROPERTY LOCATION	2 GOURMET LANE
BLOCK / LOT / QUALIFIER	199.A/32.C6/C0001

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the applied tax years as follows:

DOCKET #	YEAR	LAND	IMPROVEMENT	TOTAL VALUE	REFUND
009120-2010	2010	891,300	816,700	1,708,000	\$48,495.72
006062-2011	2011	891,300	873,700	1,765,000	48,438.00
007694-2012	2012	891,300	905,700	1,797,000	47,431.87
014185-2013	2013	891,300	989,700	1,881,000	43,891.44

WHEREAS, the reductions listed have caused a real estate tax overpayment in the amount of **\$188,257.03** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$188,257.03**.

July 23, 2014

RESOLUTION R. 322-072014
Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision

WHEREAS, This office has received a successful tax judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.023-012014**:

TAXPAYER	O T R ASSOCIATES
PROPERTY LOCATION	1655-1665 OAK TREE RD
BLOCK / LOT / QUALIFIER	643.DD/36
DOCKET NUMBER:	004940-2010
TAX YEAR	2011

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s):2011.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$158,179.32** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$158,179.32**.

July 23, 2014

RESOLUTION R.324-072014

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	
MAYORS OFFICE	
SALARIES & WAGES	5,000.00
OTHER EXPENSES	289.96
TOWNSHIP COUNCIL	
SALARIES & WAGES	5,000.00
OTHER EXPENSES	0.00
TOWNSHIP CLERK	
SALARIES & WAGES	24,000.00
OTHER EXPENSES	0.00
BUSINESS ADMIN	
SALARIES & WAGES	64,000.00
OTHER EXPENSES	0.00
COMMUNICATIONS	
SALARIES & WAGES	12,000.00
OTHER EXPENSES	5,809.02
PURCHASING	
SALARIES & WAGES	19,000.00
OTHER EXPENSES	0.00
CENTRAL STORES	9,994.70
PERSONNEL/HR	
SALARIES & WAGES	8,200.00
OTHER EXPENSES	1,207.10
LEGAL DEPARTMENT	
SALARIES & WAGES	4,200.00
OTHER EXPENSES	100,208.00
FINANCE	
SALARIES & WAGES	8,000.00
OTHER EXPENSES	43,347.81

AUDIT	11,113.57
PAYROLL	
SALARIES & WAGES	1,600.00
OTHER EXPENSES	64,563.84
TAX COLLECTOR	
SALARIES & WAGES	24,000.00
OTHER EXPENSES	2,273.36
TAX ASSESSOR	
SALARIES & WAGES	22,000.00
OTHER EXPENSES	2,825.04
RECREATION	
SALARIES & WAGES	96,987.76
OTHER EXPENSES	80,363.39
HEALTH	
SALARIES & WAGES	188,000.00
OTHER EXPENSES	10,337.09
SENIOR CITIZENS SERVICES	
SALARIES & WAGES	48,000.00
OTHER EXPENSES	4,640.75
POLICE DEPARTMENT	
SALARIES & WAGES	3,650,000.00
OTHER EXPENSES	143,710.46
DISPATCH 911	
SALARIES & WAGES	174,000.00
OTHER EXPENSES	65,000.00
POLICE VEHICLE MAINTENANCE	
SALARIES & WAGES	24,300.00
OTHER EXPENSES	27,442.00
FIRE FIGHTING	
SALARIES & WAGES	2,491,593.50
OTHER EXPENSES	15,000.00
FIRE HYDRANT CHARGES	220,972.64
AID TO VOLUNTEER FIRE COMPANIES	16,958.34
FIRE PREVENTION	
SALARIES & WAGES	42,000.00
OTHER EXPENSES	16,958.34
PARKS & TREES	
SALARIES & WAGES	105,000.00
OTHER EXPENSES	12,402.71
MUNICIPAL GARAGE	
SALARIES & WAGES	50,000.00
OTHER EXPENSES	7,954.51
FUELS & LUBRICANTS	30,698.19
STREET LIGHTING	154,166.67

STREETS & ROADS	
SALARIES & WAGES	155,750.00
OTHER EXPENSES	20,000.00
BUILDINGS & GROUNDS	
SALARIES & WAGES	141,000.00
OTHER EXPENSES	27,336.20
SOLID WASTE RECYCLING	
SALARIES & WAGES	127,308.15
OTHER EXPENSES	6,451.87
PUBLIC BUILDINGS TELEPHONE	41,551.60
PUBLIC BUILDINGS HEAT, LIGHT & POWER	145,913.98
ENGINEERING SERVICES	
SALARIES & WAGES	42,000.00
OTHER EXPENSES	13,386.45
CONSTRUCTION ENFORCING AGENCY	
SALARIES & WAGES	140,082.35
OTHER EXPENSES	29,445.84
PLANNING & ZONING DEPARTMENT	
SALARIES & WAGES	36,941.80
OTHER EXPENSES	0.00
PLANNING BOARD	
OTHER EXPENSES	4,039.17
ZONING BOARD	
OTHER EXPENSES	3,900.42
RENT CONTROL BOARD	
SALARIES & WAGES	2,344.16
OTHER EXPENSES	77.09
MUNICIPAL COURT	
SALARIES & WAGES	77,000.00
OTHER EXPENSES	16,884.65
PUBLIC DEFENDER	
SALARIES & WAGES	4,470.84
OTHER EXPENSES	308.34
CELEBRATION OF PUBLIC EVENTS	
OTHER EXPENSES	14,375.00
LIBRARY	98,469.92
OOFICE OF EMERGENCY MANAGEMENT	
OTHER EXPENSES	2,886.71
CONDOMINIUM COMM COSTS	
OTHER EXPENSES	22,354.17
ENVIRONMENTAL COMMISSION	
OTHER EXPENSES	146.25

EMPLOYEE GROUP INSURANCE	3,000,000.00
SOCIAL SECURITY	<u>170,000.00</u>
TOTAL CURRENT FUND	<u><u>12,459,543.71</u></u>

SEWER OPERATING

SALARIES & WAGES	371,940.01
OTHER EXPENSES	644,044.58
SOCIAL SECURITY	18,498.10
CAPITAL IMPROVEMENT PROJECTS	26,984.64
M.C.U.A. CHARGES	<u>1,450,000.00</u>
TOTAL SEWER UTILITY	<u><u>2,511,467.33</u></u>

SANITATION

SALARIES & WAGES	492,625.00
OTHER EXPENSES	376,255.79
SOCIAL SECURITY	30,833.34
DISPOSAL FEES	250,000.00
EMPLOYEE GROUP HEALTH INSURANCE	368,479.18
EDISON LANDFILL CLOSURE TRUST	30,625.00
UNEMPLOYEMNT INSURANCE TRUST	5,104.17
CAPITAL OUTLAY	<u>69,163.30</u>
TOTAL SANITATION	<u><u>1,623,085.78</u></u>

**RESOLUTION R.325-072014
CANCELING A TAX SALE CERTIFICATE ISSUED TO AN OUTSIDE LIEN HOLDER ON A
TOWNSHIP OWNED PROPERTY**

WHEREAS, on a property located within the Township of Edison, known and described as follow, a tax sale certificate was issued to the outside lien holder, **US BANK CUST/CRESTAR CAPITAL**, on the date and for the amount below:

BLOCK / LOT / QUALIFIER	592 / 3.A
PROPERTY LOCATION	205 NEW YORK BLVD
BEING OWNED BY	EDISON TWP (L/E KRIEGL,J&NOTTE,A M)
TAX SALE CERTIFICATE	10-00713
ISSUED DATE	12/13/2010
AMOUNT	\$5,309.42

WHEREAS, The Property was granted to the Township by the former owner and heirs with a Life Estate condition retained to date. Property continues being taxable while the existence of the life estate. Life estate beneficiaries are responsible for payment.

WHEREAS, The Life Estate beneficiaries didn't pay 3rd and 4th quarter taxes in 2010, and let the debt go to tax sale. Lien certificate listed above was already issued and recorded when the Edison Twp ownership was noticed by Township's Officials.

WHEREAS, the attempts to get the Life Estate beneficiaries to pay off the lien has not been successful, and the outside lien is now under final foreclosure procedures (Docket F-19372-13) with the deadline for redemption being established and pass due as July 7, 2014.

WHEREAS, the Township's Lawyer has investigated the matter and concurs that in order for the Township to retain title to the Property, the tax certificate must be redeemed, and the lien holder must receive the full amount due for redemption before the final foreclosure order is entered.

WHEREAS, The Tax Collector then further advises that the Tax Certificate above should have been never issued, but the original charges were valid, therefore, the Tax Certificate needs to be cancelled, and charges returned to regular Tax Account as open for further collection and running interest from the original due dates;

WHEREAS, The Tax Collector further advises that upon cancellation of the tax sale certificate, the lien holder above is entitled to the redemption amount, including reimbursement of the original amount plus interest and fees totaling \$ 12,557.02;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Tax Sale Certificate # **10-00713** should be canceled and removed from any delinquent record; and the appropriate original charges should be returned as open to the Tax Account and accrue interest from their due date.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate Township Officials shall and is hereby authorized to draw a check to **US BANK CUST/CRESTAR CAPITAL** in the total amount of \$ **12,557.02**.

EXPLANATION: A Resolution authorizing the appointment of David R. Spevack as a prosecutor for the Township of Edison.

EDISON TOWNSHIP

RESOLUTION R.326-072014_____

WHEREAS, there exists a need for a Prosecutor in the Township of Edison for the Edison Township Municipal Court; and

WHEREAS, there is a desire to appoint David R. Spevack as a Prosecutor in accordance with *N.J.S.A. 2B:25-4*, for a term of one year, effective of even date through July 22, 2015; and

WHEREAS, Mr. Spevack has a proven record of professionalism while appearing in the Municipal Court on numerous occasions and meets the necessary qualifications as set forth in law; and

WHEREAS, this appointment is being made as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et seq.*; and

WHEREAS, the Township Purchasing Agent has determined and certified in writing that the value of the contract could exceed \$17,500; and

WHEREAS, Mr. Spevack has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous year, and that the contract will prohibit Mr. Spevack from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts the recommendation of such appointment as described herein and desires to approve the entering of a professional services contract with Mr. Spevack, which is not to exceed \$18,000 in the aggregate.

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

1. David R. Spevack is hereby appointed as a Prosecutor for the Township for a term of one year, effective of even date through July 22, 2015.
2. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Mr. Spevack as described herein. Payments under the contract shall not exceed the amount of \$18,000 in the aggregate without further authorization of the Township Council.

3. The contract with Mr. Spevack is awarded as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, because it is for services to be performed by person(s) authorized by law to practice a recognized profession.

4. The contract is awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5 et seq.*

5. Mr. Spevack’s Business Disclosure Entity Certification and the Township Purchasing Agent’s Determination of Value shall be placed on file with this Resolution.

6. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to *N.J.S.A. 40A:11-5* and in compliance with Local Public Contracts Law guidelines. This Resolution and the contract with Mr. Spevack shall remain on file and available for public inspection in the office of the Township Clerk.

7. This Resolution shall take effect immediately.

R.327-072014

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, The Township of Edison has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Edison intends to utilize the online auction services of US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 , web address www.usgovbid.com, for the amount of three and one half percent (3 1/2%) of the receipts of sales; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 – Revised October, 2011.

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

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, www.usgovbid.com.
2. The terms and conditions of the sale are available at www.usgovbid.com.
3. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

EXPLANATION: A Resolution authorizing the execution of releases of developer's agreements with respect to completed development projects located at 100 Blue Heron Way and 155 Clover Place, Edison.

EDISON TOWNSHIP

RESOLUTION R.328-072014

WHEREAS, the Township of Edison ("Edison") entered developer's agreement(s) (collectively, the "Agreements") with Federal Business Centers, Inc. ("Developer") in 2007 and 2010 with respect to the expansion of a warehouse park at 100 Blue Heron Way and the construction of a tractor trailer parking lot at 155 Clover Place, respectively (collectively, the "Projects"); and

WHEREAS, Developer has completed the Projects in accordance with the terms of the Agreements, and Developer's lenders require the issuance of recordable forms of release from the Township with respect to the terms of the Agreement; and

WHEREAS, the Township desires to execute and provide to Developer forms of release ("Releases," in the forms attached hereto as Exhibit A and Exhibit B), pursuant to the Township's obligation to provide same under the Agreements.

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 Releases substantially in the form as attached hereto as Exhibit A and Exhibit B, 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 Releases.
3. This Resolution shall take effect immediately.

EXPLANATION: Resolution authorized Second Amendment to Developer Agreement for 33 Liddle Avenue senior citizen residential project.

**TOWNSHIP OF EDISON
RESOLUTION R.329-072014**

WHEREAS, on June 8, 2006, Liddle Avenue LLC (the “Developer”) and the Township of Edison (the “Township”) entered into a Developer Agreement, recorded in Deed book 5678, beginning at Page 110 (the “Developer Agreement.”) and an Amendment to Developer Agreement dated March 9, 2014 and recorded in Book 5800, beginning at Page 66 (the “Amendment to Developer Agreement”) which describes the proposed construction of a 103-unit senior citizen residential development in the Light Industrial Zone District (hereinafter referred to as the “Development”) on the property commonly known as Block 757, Lot 41 on the Township Tax Maps; and

WHEREAS, the site plan approval for the Development required the Developer to plant 903 trees on site pursuant to the Township’s Tree Replacement Ordinance (§25-1 et seq.) (“Tree Ordinance”); and

WHEREAS, the Developer agreed to plant 677 trees on site and in lieu of planting the remaining 226 trees off-site, the Developer elected to make a payment to the Township’s Tree Fund of \$67,800 for use by the Township in planting trees elsewhere in the Township as permitted by the Tree Ordinance; and

WHEREAS, said payment has not been made; and

WHEREAS, according to the records relating to the Development, the Developer has \$7,607.69 in unspent escrow fees on deposit with the Planning Board and \$23,605.37 on deposit as the cash portion of the Developer’s performance guarantee for a total of \$31,213.06 (collectively, the “Developer’s Deposits”); and

WHEREAS, this Second Amendment is intended to enable the Township to receive its \$67,800 Tree Fund contribution through a combination of the Developer’s escrows on deposit with the Township and subsequent payments while also allowing the Township to issue a Certificate of Occupancy for the last unit (#199) in the Development, on the terms set forth in a Second Amendment to Developer Agreement, substantially in the form attached hereto; and

WHEREAS, it is the recommendation of the Township Engineer that the Township accept the \$31,213.06 in the Developer’s Deposit, plus accrued interest, if applicable, and enter into the proposed Second Amendment to Developer Agreement to satisfy the Developer’s obligations under the Tree Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Developer’s Deposits, plus accrued interest, if applicable, hereinabove mentioned shall be released to the Township upon the release of the Developer’s performance guarantee.

BE IT FURTHER RESOLVED, that the Second Amendment to Developer Agreement substantially in the form attached hereto is hereby approved and the Mayor, Township Administrator, Township Clerk, Township Attorney, Chief Financial Officer and other necessary Township Officials are authorized to execute, deliver and accept the Second Amendment to Developer Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Second Amendment to Developer Agreement and this Resolution.

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall accept said funds in accordance with the terms of the Second Amendment to Developer Agreement and this Resolution.

R.330-072014

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO GRM FACILITIES MANAGEMENT, INC. FOR HVAC MAINTENANCE AND REPAIR-LIBRARIES

WHEREAS, bids were received by the Township of Edison on June 17, 2014 for Public Bid No. 14-03-01, HVAC Maintenance and Repair-Libraries; and

WHEREAS, GRM FACILITIES MANAGEMENT, INC., 188 Fries Mill Rd., Suite F-2, Turnersville, NJ 08012, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the Edison Township Public Library reviewed the bids and the Board of Trustees accepted the low bidder, GRM FACILITIES MANAGEMENT, INC.; and

WHEREAS, the total amount of this contract shall not exceed \$20,495.00 (\$14,995.00 for monthly maintenance fees and \$5,500.00 for additional work (parts at 25% below manufacturer's list price not covered under the maintenance agreement); and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by GRM FACILITIES MANAGEMENT, INC., 188 Fries Mill Rd., Suite F-2, Turnersville, NJ 08012 for HVAC Maintenance and Repair-Libraries, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,495.00, and any other necessary documents, with GRM FACILITIES MANAGEMENT, INC. as described herein.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Prasenjit Ghosh on Established Site Plan Tree Plantings at 226 Garfield Street, under Tree Permit No. 10-093.

TOWNSHIP OF EDISON

RESOLUTION R.331-072014

WHEREAS, on May 19, Prasenjit Ghost posted Tree Maintenance Bond fees in the amount of \$3,750.00 on deposit with the Township of Edison in account #7760275125 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #10-093, for property located at 226 Garfield Street; 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 \$3,750.00, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$3,750.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Acting Chief Financial Officer Agnes Yang be and is hereby authorized to refund the sum of \$3,750.00, on deposit in Account #7760275125 to Prasenjit Ghosh, having an address of 226 Garfield Street, Edison NJ 08820.

S:Eng-TreeMaintBondRefundReso-#10-093-Prasenjit Ghosh-226Garfield St.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Alok Sood at 2 Quincy Rd., under Tree Permit #10-138.

TOWNSHIP OF EDISON

RESOLUTION R.332-072014

WHEREAS, on June 14, 2012 Alok Sood posted Tree Maintenance Bond fees in the amount of \$2,700 on deposit with the Township of Edison in account #7761963680 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #10-138, for property located at 2 Quincy Road; 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 \$2,700.00, 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 \$2,700.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Acting Chief Financial Officer Agnes Yang be and is hereby authorized to refund the sum of \$2,700.00, on deposit in Account #7761963680 to Alook Sood, having an address of 2 Quincy Road, Edison, N.J. 08817.

S:Eng-TreeMaintBondRefundReso-#10-138-AlookSood-2quincyrd.

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Federal Business Centers on Established Site Plan Tree Plantings at 100 Blue Heron Way, under Tree Permit No. 07-060.

TOWNSHIP OF EDISON

RESOLUTION R.333-072014

WHEREAS, on May 2, 2007, Federal Business Centers posted Tree Maintenance Bond fees in the amount of \$405.00 on deposit with the Township of Edison in account #7760237710 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #07-060, for property located at 100 Blue Heron Way; 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 \$405.00, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$405.00 Herein above mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Acting Chief Financial Officer Agnes Yang be and is hereby authorized to refund the sum of \$405.00, on deposit in Account #7760237710 to Federal Business Centers, having an address of 300 Raritan Center Parkway, Edison NJ 08817.

EXPLANATION: Resolution Refunding Tree Performance Cash Bond to Middlesex Logistics Owner LLC.

TOWNSHIP OF EDISON

RESOLUTION R.334-072014

WHEREAS, on February 24, 2014 Petrucci Development on behalf of Middlesex Logistics Owner LLC posted Tree Performance Bond fees in the amount of \$15,000.00 on deposit with the Township of Edison in account #7763090807 to guarantee the additional trees at 75 Mill Road; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the extra trees have been planted; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Performance Bond refund in the amount \$15,000.00, plus accrued interest, if applicable, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Performance Cash Bond in the amount of \$15,000.00 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 \$15,000.00, on deposit in Account #7763090807 to Petrucci Development on Behalf of Middlesex Logistics., having an address of 171 Route 173, Suite 201, Asbury Pk., N.J. 08802.

EXPLANATION: Resolution Refunding Inspection Fees to Federal Business Centers, Inc., for 155 Clover Place.

TOWNSHIP OF EDISON

RESOLUTION R.335-072014

WHEREAS, the Township Engineer advises that a final inspection was done of Federal Business Centers, 155 Clover Place, Edison, N.J. 08837, under Application # Z-17-29-09/10, with site located on Block 390, Lot 1; and

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

WHEREAS, on May 14, 2010 Federal Business Centers, Inc posted inspection fees in the amount of \$7,362.05 on deposit with the Township of Edison in account # 7760296086 for engineering inspection 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 \$6,653.95; and

WHEREAS, it is in now in order that the sum of \$708.10, plus accrued interest if applicable, which represents the amount due and owing the applicant, be returned to Federal Business Centers, Inc having offices at 300 Raritan Center;

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 \$708.10, plus accrued interest if applicable, in account #7760296086 to the applicant.

JAM/sb

S-Karen-RetResolInspFeeRefund-Federalbusctr-155clover

EXPLANATION: Resolution Refunding Cash Performance and Performance Bond
For Federal Business Centers, Inc., 155 Clover Place.

TOWNSHIP OF EDISON
RESOLUTION R..336-072014

WHEREAS, the Township Engineer advises that an inspection has been made of Federal Business Centers, Inc., 55 Clover Place, Application #Z-17-09/10, with site located at 300 Raritan Center Parkway, Block 390-C, Lot 1, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond, No. CMS239452, of RLI Insurance Company posted on May 7, 2010 in the amount of \$159,020.28 with the Township of Edison, principal being Federal Business Centers, Inc. and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Check #1403438916 posted on May 19, 2010 in the amount of \$17,668.92, plus accrued interest, if applicable, on deposit in account #7760013409 with the Township of Edison, principal being Federal Business Centers, Inc., having offices at 300 Raritan Center Parkway, Edison, N.J. 08837, and acceptance of the subject improvements;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount \$159,020.28 to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of \$17,668.02 plus accrued interest, if applicable, on deposit in account #77600134709 to the applicant.

Explanation: This resolution provides an additional \$50,000 of needed affordable housing funds to New Jersey Housing Mortgage and Finance Agency (NJHMFA) for the purchase and rehab of a property located at 2031 Oak Tree Road under the Special Needs Partnership Program.

**RESOLUTION OF THE TOWNSHIP OF EDISON
AUTHORIZING THE ALLOCATION OF ADDITIONAL AFFORDABLE HOUSING
FUNDS TO THE SPECIAL NEEDS HOUSING PARTNERSHIP**

WHEREAS, on November 9, 2011 the Municipal Council of the Township of Edison adopted Resolution 802-112011, which authorized the Township to participate in the Special Needs Housing Partnership established through the Department of Community Affairs (the "DCA"), the Department of Human Resources (the "DHS") and the New Jersey Housing Mortgage and Finance Agency (the "HMFA"), and to enter into a Memorandum of Understanding ("MOU") with the DCA, DHS and the HMFA; and

WHEREAS, the purpose of the MOU, which was executed by the parties in November 2011, was to coordinate the efforts of the parties to create appropriate housing for individuals with developmental disabilities in the community through the purchase and conversion of existing residential structures within the municipality; and

WHEREAS, Resolution 802-112011 also authorized the allocation of \$720,000 from the Township's Affordable Housing Trust Fund ("AHTF") to the Special Needs Housing Partnership, which funds were subsequently transferred to the HMFA, as set forth in the MOU, for the purpose of funding the purchase of existing ranch style homes and other first story residences within the municipality; and

WHEREAS, there is a need for additional funds to be allocated from the AHTF in the amount of \$50,000 to enable the acquisition/rehabilitation of a certain property in the Township as part of the Special Needs Housing Partnership; and

WHEREAS, AHTF monies may be allocated for affordable supportive special needs housing within the Township.

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 of the Township of Edison, Middlesex County, hereby allocates an additional \$50,000 from the Edison Township Affordable Housing Trust Fund to be submitted to the HMFA for use by the Special Needs Housing Partnership, as provided in the November 2011 Memorandum of Understanding between the Township, the DCA, the DHS and the HMFA.

2. This Resolution shall take effect immediately.

3. The Acting Chief Financial Officer of the Township of Edison is hereby authorized to forward the aforesaid check in the sum of \$50,000.00 to:

New Jersey Home Mortgage and Finance Agency
637 South Clinton Avenue
Trenton, NJ 08611
Attn: Yirgu Wolde

3. A certified copy of this Resolution, once adopted, is to be provided to the Township Attorney, the Acting CFO, and the Municipal Housing Liaison for their records.

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 11-02-06R: Police Division Renovations, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$1,826.00 to KAPPA CONSTRUCTION CORP., for a total construction contract as-built cost of \$1,166,242.84 (\$1,143,000.00 original bid).

TOWNSHIP OF EDISON

RESOLUTION R.338-072014

WHEREAS, KAPPA CONSTRUCTION CORP., 3 Matilda Drive, Ocean, NJ 07712 (phone # 732-380-7045) was awarded a construction contract through resolution R.834-112011 on November 21, 2011 in an amount not to exceed \$1,143,000.00 for Public Bid No. 11-02-06R: Police Division Renovations, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, the Township Engineer has reviewed the project and the Township Engineer certifies that the project has been completed, and that a two-year (2-year) maintenance bond, effective from substantial completion date of February 23, 2013, in an amount covering 100% of the final as-built construction costs of \$1,166,242.84 for the project has been received by the Township of Edison, and the Township Engineer recommends project acceptance, release of the performance bond, and that final payment, including retainage, be made to KAPPA CONSTRUCTION CORP., in an amount not to exceed \$1,826.00, for a total construction contract as-built cost of \$1,166,242.84;

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the construction project, Public Bid No. 11-02-06R: Police Division Renovations, in the Township of Edison, Middlesex County, New Jersey, is deemed accepted by the Township of Edison, subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to KAPPA CONSTRUCTION CORP., in an amount not to exceed \$1,826.00 for a total construction contract as-built cost of \$1,166,242.84.

R.339-072014

EXPLANATION: This resolution of the Township Council amends Resolution R.110-032014 and approves the receipt of the FY2014 Community Development Block Grant in the amount of \$528,289 and approves the attached amended projects and activities funded by this grant.

AMENDED RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2014 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE AMENDED FISCAL YEAR 2014 CONSOLIDATED ANNUAL ACTION PLAN

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

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2014 Community Development Block Grant in the amount of Five Hundred Twenty Eight Thousand Two Hundred Eighty Nine Dollars (\$528,289);

WHEREAS, the Township can budget a total of Five Hundred Twenty Eight Thousand Two Hundred Eighty Nine Dollars (\$528,289) to fund eligible 2014 activities that are attached and listed on the Amended Proposed Summary of FY14 Annual Action Plan Allocations, that will be carried out during the 2014 Program Year;

WHEREAS, A Public Hearing was held on January 16, 2014 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2014;

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

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2014 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

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

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an amended application for Five Hundred Twenty Eight Thousand Two Hundred Eighty Nine Dollars (\$528,289), which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Amended Proposed Summary of FY14 Annual Action Plan Allocations and listed in the 2014 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Amended Proposed Summary of FY14 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2014 Consolidated Annual Plan.

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

Section 7. A certified copy of the Resolution shall be forwarded to the CDBG Coordinator.

R.340-072014

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000098, to the following:

Permit Number:	0383
Opening Location:	380 Rahway Rd.
Block/Lot:	411/4.A
Applicant's Name & Address:	Jo-Med Contracting Corp. 815 Garden Street Elizabeth, NJ 07202
Initial Deposit Date:	12/11/13
Deposit Amount:	\$4,560.00
Paid by & refunded to:	Shailesh P. Bhaisare Mahesh D. Swali 502 Jesse Way Piscataway, NJ 08854-6407

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

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO TRANSAXLE, LLC FOR
AUTOMOBILE/LIGHT TRUCK TRANSMISSION REPAIR**

WHEREAS, bids were received by the Township of Edison on July 8, 2014 for Public Bid No. 14-07-25RR, Automobile/Light Truck Transmission Repair; and

WHEREAS, TRANSAXLE, LLC, 2501 Route 73 South, Cinnaminson, NJ 08077 submitted the lowest legally responsible, responsive bid; 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 and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by TRANSAXLE, LLC, 2501 Route 73 South, Cinnaminson, NJ 08077 for Automobile/Light Truck Transmission Repair, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents, with TRANSAXLE, LLC as described herein.

R.342-072014

RESOLUTION REJECTING ALL BIDS FOR OVERHEAD LUBRICANT DISPENSING SYSTEM

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on June 16, 2014, for Public Bid No. 14-05-28, OVERHEAD LUBRICANT DISPENSING SYSTEM with a bid opening date of July 9, 2014; and

WHEREAS, there were two bids received, one was rejected due to failure to have the Public Works Contractor Registration Act Certificate at the time of bid opening and one was from received from A & J Construction with a bid price of \$164,470.00; and

WHEREAS, Section 40A:11-13.2a of the Local Public Contracts Law allows for the rejection of bids when the lowest bid substantially exceeds the cost estimates for the goods or services and section d allows for rejection when the contracting agent wants to substantially revise the specifications for the goods or services.

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

1. The bid for Public Bid No. 14-05-28, OVERHEAD LUBRICANT DISPENSING SYSTEM is hereby rejected pursuant to N.J.S.A 40A:11-13.2a and d .
2. The Purchasing Agent is hereby authorized to rebid said project.

R.343-072014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
DAVID YE FOR THE TEEN CENTER PROGRAM**

WHEREAS Davie Ye made payment in the amount of \$10.00 for his child Alissa Ye's participation in the Teen Center Program; and

WHEREAS Alissa Ye is too young for the Teen Center Program.

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 \$10.00 David Ye, 35 Delancy St., Edison, NJ 08820, which amount represents the membership fee.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$10.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

Q:ye reso
6/25/14 dwt

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RUTHE GEARDINO FOR THE RENTAL OF YELENCISICS PARK**

WHEREAS Ruthe Geardino made payment for the rental of Yelencsics Park; and

WHEREAS Ruthe Geardino made an overpayment of \$144.00; and

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 \$144.00 to Ruthe Geardino, 153 Fifth St., Edison, NJ 08837, which amount represents the amount of the overpayment.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$144.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

EXPLANATION: This Resolution sets park and recreation fees as provided for in Township Code Section 24-4.1.

EDISON TOWNSHIP

RESOLUTION R.345-072014

WHEREAS, Township Code Section 24-4.1 provides for the establishment of park and recreation fees for the usage of Township parks, recreations areas and facilities and programs offered therein or by the Township shall be set by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, in the County of Middlesex and State of New Jersey that the following park and recreation fees are hereby established and shall remain in force and effect until superseded by a subsequent Resolution:

PROGRAM	FEE	PAYMENT DUE
Pre-School Registration 3 Yr Olds 4 Yr Olds	\$25.00 \$111.00 \$145.00 Fee for additional child(ren) from the same household will be ½ of the customary fee.	With Application Monthly (9) Monthly (9)
After Before School Child Care Programs Registration A.B.C. – Elementary School Morning Session Afternoon Session Both Sessions Registration Y.A.P. – Middle School Afternoon Session Only	\$25.00 – Non Refundable \$110.00 \$170.00 \$280.00 \$25.00 – Non Refundable \$170.00 Fee for additional child(ren) from the same household for both programs will be ½ of the customary fee. \$5.00 – Late Pick-Up Fee for every 5 minutes or part thereof that a parent is late in picking up a child. \$2.50 – Late Pick-Up Fee for every 5 minutes or part thereof that a parent is late in picking up an additional child. \$10.00 – Late Payment Fee for payments made after the fifth of the month that the payment is due. No Refunds except when a duplicate payment has been made.	With Application Monthly (10) Monthly (10) Monthly (10) With Application Monthly (10) Upon Pick-Up of Child Upon Pick-Up of Child With Monthly Payment

PROGRAM	FEE	PAYMENT DUE
ADULT SPORTS Adult Volleyball Adult Basketball Adult Softball Adult Co-Ed Softball Adult Co-Ed Volleyball	\$150.00 Per Team (Includes \$50.00 Refundable Bond) \$300.00 Per Team (Includes \$100.00 Refundable Bond) \$400.00 Per Team (Includes \$150.00 Refundable Bond) \$200.00 Per Team (Includes \$ 75.00 Refundable Bond) \$150.00 Per Team (Includes \$50.00 Refundable Bond)	With Team Application With Team Application With Team Application With Team Application With Team Application
Community Center Use Fees Weekdays/Evenings Weekend/Holiday	\$50.00 Per Hour Per Room – 2 Hour Minimum \$50.00 Per Hour Per Room – 2 Hour Minimum In the event the Township sponsors a class/program offered by an outside professional, the professional will be required to pay to the Township ten (10%) of any and all fees they have collected from running a class/program with a maximum length of 8 weeks per session or \$200.00, whichever is greater. The minimum \$200.00 is due prior to the first class and the balance due, if any, must be paid no later than two (2) weeks from the last class of the session. This fee shall be in lieu of the fees set forth above for non-Township sponsored events. In the event the professional fails to pay to the Township the money owed, the professional will be precluded from performing such services for the Township in the future.	With Application With Application
Picnic/Park Fees Weekdays/Evenings Edison Residents Applicants must show proof of residency. Non-Resident Weekends/Holidays Edison Residents Non-Resident	\$150.00 For the First 2 Hours – 2 Hour Minimum \$25.00 Each Additional Hour *The Edison Police Auxiliary, Edison Police Explorers, Edison Volunteer Fire Companies and the Edison Volunteer EMT Squads shall be exempt from said picnic fees. Any individual applying on behalf of the foregoing entities shall certify in writing that he/she is submitting the application for and on behalf of said entity. Does not apply for personal use. \$150.00 For the First 2 Hours – 2 Hour Minimum \$50.00 Each Additional Hour \$200.00 For the First 2 Hours – 2 Hour Minimum \$50.00 Each Additional Hour \$200.00 For the First 2 Hours – 2 Hour Minimum \$75.00 Each Additional Hour	Payment For All Hours Reserved Is Due One (1) Week Prior To Use. Same As Above Same As Above Same As Above

PROGRAM	FEE	PAYMENT DUE
Weight Exercise Room Both Community Centers Edison Resident Non-Resident	Resident Sr. Citizens, 65 Years of Age or Older – No Charge – Must Show Edison Township Issued Sr. Citizen Card. \$10.00 \$50.00 \$100.00 \$30.00 \$150.00 \$300.00	Monthly Every 6 Months Yearly Monthly Every 6 Months Yearly
PROGRAMS Adult Classes Edison Residents Non-Resident Aerobics Edison Residents Non-Resident Community Center Membership Adult Edison Residents Adult Non-Residents Teen Residents Only Teen Non-Residents Karate Resident Non-Resident Kids’ Fun Clubs New Developed Programs Special Population Program Dance Summer Playground Program Twirling/Cheerleading Various Trips Yoga Edison Residents Non-Residents	\$20.00 Per Class \$30.00 Per Class \$30.00 Per Person \$60.00 Per Person \$20.00 Per Person \$40.00 Per Person \$10.00 Per Person \$20.00 Per Person \$20.00 Per Person \$30.00 Per Person \$10.00 Per Class/Per Session \$25.00 Three Classes/Per Session \$10.00 Per Person \$10.00 Per Person/Per Program \$5.00 Per Person/Per Dance \$30.00 Per Person \$25.00 Per Person Established by Trip Location + Transportation Fee \$30.00 Per Person \$60.00 Per Person	With Application With Application Quarterly Quarterly Yearly – Year Begins 7/01 Yearly – Year Begins 7/01 Yearly – Year Begins 7/01 Yearly – Year Begins 7/01 Quarterly Quarterly With Application With Application With Application With Application With Application Yearly Yearly With Application Quarterly Quarterly
SPECIAL EVENTS Easter Fun Day Edison/Metuchen Bike Tour Festivals Craft Vendors Food Vendors Fishing Derby Lil Darlins’ Dance	\$ 5.00 Per Person \$10.00 Per Person \$75.00 Per Space \$75.00 Per Space \$10.00 Per Person \$30.00 Per Couple	With Application With Application With Application With Application With Application With Application

R.346-072014

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY FOR EMERGENCY VEHICLE REPAIRS

WHEREAS, bids were received by the Township of Edison on June 17, 2014 for Public Bid No.14-10-02, Emergency Vehicle Repairs for the Township of Edison; and

WHEREAS, ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$250,000.00 cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Emergency Vehicle Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$250,000.00 any other necessary documents, with ABSOLUTE FIRE PROTECTION COMPANY as described herein.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS FOR TURNOUT GEAR REPAIR, CARE AND MAINTENANCE

WHEREAS, bids were received by the Township of Edison on June 26, 2014 for Public Bid No. 14-06-25-Turnout Gear Repair, Care and Maintenance for the Division of Fire; and

WHEREAS, BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134th St., New York, NY 10454 submitted the lowest legally responsible, responsive bid; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134th St., New York, NY 10454 for Turnout Gear Repair, Care and Maintenance for the Division of Fire is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, and any other necessary documents, with BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS.

R.348-072014

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW-GOVERNMENT FOR THE FURNISHING OF TWO PANASONIC TOUGHBOOKS FOR THE DIVISION OF FIRE

WHEREAS, there is a need to furnish two (2) fire prevention vehicles with Panasonic Tough Book laptop computers in the amount of \$5,870.00 (\$2,935.00 each includes 3 year pro plus warranty and car adapter); and

WHEREAS, CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 75583 under M-0483/WSCA Computer Contract; and

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

WHEREAS, funds in the amount of \$5,870.00 have been certified to be available in the Fire Prevention Motor Vehicle Parts & Accessories Account, Number 4-01-25-0265-002-034; 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 \$5,870.00 and any other necessary documents, with CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, 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 **\$5,870.00** have been certified to be available Account Number **4-01-25-0265-002-034**.

Agnes Yang
Acting Chief Financial Officer

Date

R.349-072014

**RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS
PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO THE EAST BRUNSWICK
POLICE DEPARTMENT**

WHEREAS, The Township of Edison has determined that the Police Division has two 2007 Crown Victoria K9 vehicles (Serial Numbers 2FAHP71W77X118591 and 2FAHP71W07X118593) no longer needed for public use; and

WHEREAS, Local Contracts Law 40A:11-36(2) allows the sale of such property to another contracting unit; and

WHEREAS, the East Brunswick Police Department, 1 Civic Center Drive, PO Box 1081, East Brunswick, NJ 08816 desires to purchase these two 2007 Crown Victoria vehicles at a price of \$5,000.00 each for a total sales price of \$10,000.00; 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, State of New Jersey that the Township of Edison is hereby authorized to sell the two 2007 Crown Victoria K9 vehicles as indicated herein at a price of \$5,000.00 each for a total sales price of \$10,000.00 to the Township of East Brunswick as indicated herein.

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

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

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

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

WHEREAS, QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148, has submitted a proposal to provide such services for a one year term for the period of July 1, 2014 – June 30, 2015 at a cost of \$34,782.00; and

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

WHEREAS, funds in the amount of \$34,782.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 4-01-25-0250-000-026.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents in the amount of \$34,782.00, with QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$34,782.00** are available for the above contract in Account No. **4-01-25-0250-000-026**.

Agnes Yang
Acting Chief Financial Officer

Date

R.350-072014

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO VALUE ADDED VOICE SOLUTIONS, LLC FOR REPAIR AND MAINTENANCE OF THE 911 TELEPHONE RECORDING SYSTEM

WHEREAS, an emergency occurred in the Communications Center where the 911 telephone recording system failed, causing an emergency effecting the safety and welfare of the public; and

WHEREAS, upon investigation it was determined that the 911 telephone recording system needed to be repaired and maintained to keep the system operational; 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, VALUE ADDED VOICE SOLUTIONS, LLC, 111 Shore Drive, Brielle, NJ 08730 submitted a quote in the amount of \$30,000.00 to repair and maintain the system; and

WHEREAS, funds in the amount of \$30,000.00 have been certified to be available in the Dispatch 911 Maintenance of other Equipment Account, Number 4-01-25-0250-000-026.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$30,000.00, and any other necessary documents, with **VALUE ADDED VOICE SOLUTIONS, LLC** for repair and maintenance of the 911 telephone recording system.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$30,000.00** are available for the above in Account No. **4-01-25-0250-000-026**.

Agnes Yang
Acting Chief Financial Officer

Date

Explanation: A Resolution authorizing the sale of two (2) Plenary Retail Distribution Liquor Licenses and further authorizing the Township Clerk to advertise for bid proposals for same pursuant to *N.J.S.A. 33:1-19.1*

RESOLUTION R.352-072014

EDISON TOWNSHIP

WHEREAS, there are presently six (6) plenary retail distribution licenses in 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; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to issue two (2) new licenses and to sell same at public sale, pursuant to the authority granted under State law and Chapter VI, Section 6-3.5 of the Township Code of Ordinances (“Code”); and

WHEREAS, the Municipal Council has determined to offer the opportunity to purchase said licenses to all qualified parties, in accordance with State law.

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

1. The Township of Edison hereby determines that it will sell at public sale two (2) new plenary retail distribution licenses for the sale of alcoholic beverages, in accordance with the procedures set forth at *N.J.S.A. 33:1-19 et seq.*
2. The Township Clerk shall publish a notice of the proposed issuance of two alcoholic beverage licenses (“Notice”), indicating that applications therefore will be accepted by the Township at the time, date and place specified in the Notice. The Notice shall state that no applications shall be accepted later than Wednesday, September 10, 2014 at 1:00 p.m. All other conditions for the submission and acceptance of bids required hereunder shall be stated in the Notice.
3. The Notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart; the second of which shall be at least 30 days prior to the date after which no further applications will be accepted *i.e.* 30 days prior to Wednesday, September 10, 2014 at 1:00 p.m.
4. Bids must be made utilizing the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, *N.J.S.A. 33:1-1 et seq.* (“ABC Act”), the regulations promulgated thereunder at *N.J.A.C. 13:2-1.1 et seq.* (“ABC Regulations”), and all applicable Township ordinances and this Resolution.
5. All submitted bids must contain a deposit in the form of a certified check for 20% of the bid price. Once a bid is submitted to the Township Clerk, it cannot be withdrawn by the bidder. The highest bidder(s) shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 30 days

of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.

6. The minimum bid price for each of the new retail distribution licenses shall be \$500,000.00. The licenses are not tied together in that they are being sold independently of each other.

7. All bids must contain a full and complete New Jersey Division of Alcoholic Beverage Control Application for Retail Alcoholic Beverage License long form application, a Certification of Proof of Compliance (available from the Township Clerk) stating that the applicant meets any and all conditions and requirements and knows of no reason why he or she would be disqualified from having an interest in a retail distribution license in New Jersey, and, a separately sealed envelope with the applicant's bid on the Township Proposal Form and the bid deposit (20% of the bid price). The Township Clerk will publicly announce and publish those applicants who presumptively meet the qualifications for bidding, as fixed by law, rules, regulations and resolution, on Wednesday, September 10, 2014 shortly after 1:00 p.m., being the time after which no applications will be accepted (and being five days prior to the opening of bids, which opening shall occur on Monday, September 15, 2014 at 1:00 p.m.) No bids will be opened from or on behalf of a bidder who has not been identified as presumptively meeting the pre-qualifications for bidding.

8. The Township reserves the right to reject any and all bids if the highest bids are not accepted.

9. The successful bidder(s) shall tender payment of all required State and local application fees and license fees prior to licensure.

10. The issuance of the licenses to the successful bidder(s) shall be contingent upon the satisfactory outcome of municipal background checks to investigate the source of funds used to purchase the licenses, the receipt of favorable State and/or federal criminal background checks; and the compliance with the publication, hearing, and resolution requirement under the ABC Regulations for the issuance of new licenses.

11. The municipality shall only award the licenses to the persons who are the highest qualified bidders. The operation of a restaurant, public accommodation or other facility shall be a condition of licensure.

12. The successful applicants must comply with all ordinances of the Township, State laws and regulations in locating the licenses.

13. The sale may be postponed or canceled at any time prior to the opening of the bids on Monday, September 15, 2014 at 1:00 p.m.

RESOLUTION R.353-072014

WHEREAS, Our Lady of Peace Church, 26 Maple Avenue, Edison, NJ, has requested a waiver of any and all permit and/or application fees.

WHEREAS, under the building code, Our Lady of Peach Church, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Our Lady of Peace Church.

RESOLUTION R.354-072014

WHEREAS, it is the duty of the Municipal Council to appoint a Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Jeffrey Reeves to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Jeffrey Reeves of 38 Simpson Avenue, Edison, New Jersey 08817 be and he is hereby appointed as A Member of the Zoning Board of Adjustment, said term to expire December 31, 2014.

RESOLUTION R.355-072014

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.

LICENSE NUMBER

LICENSEE AND LOCATION

ADDRESS

1205-33-008-006

**Royal Garden , Inc.
t/a Keum Ho Jung
518 Old Post Road**

Edison, NJ 08817