

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, August 22, 2011
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Special Meeting of June 20, 2011
 - b. Worksession Meeting of June 20, 2011
 - c. Regular Meeting of June 22, 2011
 - d. Special Meeting I of June 29, 2011
 - e. Special Meeting II of June 29, 2011
 - f. Worksession Meeting of July 25, 2011
 - g. Closed Session Meeting of July 27, 2011
 - h. Regular Meeting of July 27, 2011
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Affordable Housing Development Fees
 - b. 2011 State Body Armor Replacement Grant program
 - c. Law Enforcement Response to Community Concerns Grant
 - d. 2011 USDHS FEMA Assistance to Firefighter Grant program
 - e. Award of bid for Contract No. 11-06-27, Pool Renovation YMCA Family Swim Club at Oakcrest
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through August 18, 2011
 - b. Resolution authorizing refund in the amount of \$251,532.06 for redemption of tax sale certificates.
 - c. Designation to sign checks for the Edison Landfill Closure Trust Fund
 - d. Resolution authorizing payment for the acquisition of property for the Woodbridge Avenue and Gurley Road traffic signal installation

- e. Best Practices Survey
10. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution authorizing reimbursement of various fees
 - b. Resolution authorizing grant application for the 2011/2012 H-Mart Giving Back Program
 - c. Resolution authorizing grant application for the 2011/2012 Community Outreach/Local Giving Program
 - d. Resolution authorizing grant application for the FY12 Facility Level Giving/Local Community Giving Program
 - e. Acceptance of grant from the Governor's Council on Alcoholism and Drug Abuse
11. **FROM THE DEPARTMENT OF LAW:**
- a. Professional Services Agreement for Bond Counsel
 - b. Resolution authorizing final payment to Lawrence Bitterman
 - c. Developer's Agreement for KTR Edison, LLC
 - d. Developer's Agreement for Fords Corner, LLC
 - e. Fire Ordinance
 - f. Resolution awarding Professional Services contract for Township Attorney
 - g. Resolution awarding Professional Services contract for Labor Counsel
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution regarding the FM Global Fire Prevention Grant program
 - b. Proposed Traffic Signal – Vineyard Road
 - c. Release of cash performance bond for Builders General Supply, Inc., 1177 Inman Avenue, Application #Z31-03/04
 - d. Various refunds of residential construction permits
 - e. Memorandums of Understanding for the HOPWA Grant
 - f. Tree Maintenance Bond Refund for Inverness Ct. LLC, 927 Beatrice Parkway and Kingsbridge Drive, permit #06-104
 - g. Tree Maintenance Bond Refund for Vincent Stallings, 245 Fletcher Street, Permit #07-12
 - h. Resolution authorizing fireworks for the Fall Festival
 - j. Award of quote for home improvements as part of the CDBG program
 - k. Authorization for release of funds from the Affordable Housing Development Trust Fund
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution authorizing additional monies for Contract No. 11-10-26, Ground Materials
 - b. Award of quote for a walk behind mower/catcher
 - c. Award of quote for repairs of the GMC Vactor Truck
 - d. Award of quote for repair of sewer vent pipe to Q Mechanical Incorporated

14. **FROM THE DEPARTMENT OF RECREATION:**
a. Resolutions authorizing various reimbursements
b. Award of quote for fireworks at the Fall Family Spectacular

15. **FROM THE CHIEF OF POLICE:**
a. Concurrent Jurisdiction Agreement with Edison Job Corps Academy
b. Award of contract for Websphere software program

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

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

O.1777-2011 AN ORDINANCE PERMITTING THE SALE OF BLOCK 643H, LOTS
12, 13 AND 14 WHICH ARE NO LONGER NEEDED BY THE
TOWNSHIP OF EDISON FOR PUBLIC USE

18. **COMMUNICATIONS:**
None

19. **DISCUSSION ITEMS:**

Council President Diehl
None

Councilmember Gomez
None

Councilmember Karabinchak

- a. Tax Appeals
b. Oak Tree and Woodland Intersection
c. Creation of a parking authority
d. Expanding Edison TV
e. Edison Tower
f. Raritan Center – Foreign Trade Zone
g. Resolution of Recognition – Terra Nova Garden Club (September 26)

Councilmember Lankey

None

Councilmember Mascola

a. Ordinances

Councilmember Perilstein

a. Resolution of Recognition – Elmer Tan (September 26)

Councilmember Prasad

None

20. **CLOSED SESSION:**
None

21. **ADJOURNMENT**

**RESOLUTION APPROVING MANDATORY DEVELOPMENT FEE ORDINANCE
AMENDMENT**

THE TOWNSHIP OF EDISON / MIDDLESEX COUNTY

WHEREAS, the Township of Edison received substantive certification for its 1986-1993 cumulative affordable housing obligation and fair share plan from the Council on Affordable Housing (COAH) on December 9, 1992; and

WHEREAS, the Township received a judgment of compliance and repose for its 1987-1999 fair share obligation from the New Jersey Superior Court, Appellate Division (Court) on December 2, 2003; and

WHEREAS, on May 28, 2000, the Township of Edison received Court approval of an ordinance establishing mandatory development fees for the provision of affordable housing, which it adopted on May 10, 2000; and

WHEREAS, pursuant to N.J.A.C. 5:95-3.2, the Township of Edison petitioned COAH for third round substantive certification on May 14, 2007; and

WHEREAS, on January 25, 2007 the New Jersey Superior Court, Appellate Division, In the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing (and related cases), 390 N.J. Super. 1 (App. Div. 2007), affirmed in part, reversed in part, and remanded portions of the rules back to the Council for rulemaking; and

WHEREAS, as a result of the Court decision, COAH proposed the repeal and replacement of its initial third round methodology and rules, N.J.A.C. 5:94 and N.J.A.C. 5:95, in the form of N.J.A.C. 5:96 and N.J.A.C. 5:97 and COAH's new regulations became effective on June 2, 2008; and

WHEREAS, COAH proposed additional amendments, which became effective on October 20, 2008; and

WHEREAS, Edison Township's May 14, 2007 petition was based on COAH's initial third round methodology and rules; and

WHEREAS, on December 30, 2008, the Township submitted an amendment to its development fee ordinance along with its revised petition for third round substantive certification (attached herewith as Exhibit A); and

WHEREAS, the proposed ordinance replaces the previous ordinance with COAH's current model development fee ordinance; and

WHEREAS, pursuant to N.J.A.C. 5:97-8.3(c), Edison proposes to impose mandatory development fees of one and a half percent (1.5%) of the equalized assessed value of residential developments within all residential zoning districts; and

WHEREAS, Edison proposed that this fee only apply to the increase in the equalized assessed value when an existing residential structure undergoes an expansion or a change to a more intense use resulting in a 50% increase in the equalized assessed value of the structure, when a structure is demolished and replaced, or is expanded; and

WHEREAS, if a "d" variance is granted pursuant to N.J.S.A. 40:55D-70d(5), then the additional residential units realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of six percent (6%) of the equalized assessed value; and

WHEREAS, if the zoning on a site has changed during the two-year period preceding the filing of the "d" variance application, the base density for the purpose of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding filing of the "d" variance application; and

WHEREAS, the Township of Edison has exempted developers of affordable housing and developments where the developer has made a payment in lieu of on-site construction of affordable units from development fees; and

WHEREAS, the exemption also applies to developers that have received preliminary and/or final site plan approval of a residential development prior to the adoption of the development fee ordinance, unless the developer seeks a substantial change in the approval; and

WHEREAS, the Township of Edison applies mandatory development fees of two and one-half percent (2.5%) of the equalized assessed value of non-residential developments within all zoning districts; and

WHEREAS, the fee also applies to the increase in the equalized assessed value of an existing structure that is expanded and to the replacement of a demolished building; and

WHEREAS, in the case of an expansion or replacement, the fee is based on the difference in equalized value of the pre-existing land and improvements and the equalized value of the newly improved or replaced structure; and

WHEREAS, the ordinance exempts from the non-residential development fee the following: an increase in equalized assessed value resulting from alterations, change in use within an existing footprint, reconstruction, renovations and repairs and the exemptions required pursuant to P.L.2008, c.46 (C. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption; and

WHEREAS, development fees that are contested will be placed in an interest bearing escrow account by the Township, to be returned with interest to the prevailing party; and

WHEREAS, Edison has previously established a separate interest bearing housing trust fund for the purpose of depositing development fees collected in accordance with the ordinance and proceeds from the sale of units with extinguished controls; and

WHEREAS, the Township of Edison established and executed a three-party escrow agreement between the Township, the banking institution in which the funds are deposited and COAH; and

WHEREAS, the expenditure of funds must be consistent with a spending plan to be approved by COAH and to that end the Township has submitted a revised spending plan for COAH approval; and

WHEREAS, at least 30 percent of the development fees collected and interest earned shall be used for affordability assistance to low- and moderate-income households in affordable units included in the Township's Fair Share Plan; and

WHEREAS, one-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region; and

WHEREAS, in case of non-conformance with COAH's rules, COAH may direct the manner in which the housing trust fund shall be expended; and

WHEREAS, the Township of Edison will complete and return to COAH all monitoring forms, including the annual monitoring report related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls and any other funds collected in connection with Edison Township's housing program, and the expenditure of revenues and implementation of the plan certified by COAH; and

WHEREAS, the Township of Edison has completed its latest trust fund monitoring report to date; and

WHEREAS, COAH has reviewed the proposed development fee ordinance for compliance with N.J.A.C. 5:97-8 et seq. and P.L.2008, c.46 (C. 52:27D-329.2 and C. 40:55D-8.1-8.7) and has determined that the ordinance, with the revisions outlined in the COAH Report dated March 18, 2009, (attached herewith as Exhibit B), complies with all requirements set forth in these sections.

NOW, THEREFORE, BE IT RESOLVED that COAH hereby approves the Township of Edison's amendment to its development fee ordinance; and

BE IT FURTHER RESOLVED that the provisions in the amendment to the ordinance may commence upon the Township of Edison's governing body adoption of the amended ordinance as revised per COAH's approval; and

BE IT FURTHER RESOLVED that the Township of Edison shall file the adopted ordinance amendment with COAH within seven days of adoption; and

BE IT FURTHER RESOLVED that the Township of Edison has submitted a revised spending plan with its petition of December 30, 2008 and acknowledges that it must receive approval from COAH of a development fee spending plan before it may disburse any of these funds; and

BE IT FURTHER RESOLVED that in the event that the Township of Edison withdraws its petition, fails to obtain substantive certification or allows its certification to lapse or be revoked, the amended ordinance shall be null and void.

Explanation: The Body Armor Replacement Fund is funded through a \$1 surcharge to each fine, penalty or forfeiture imposed and collected by a judge under authority of any law for any violation of the provisions of Title 39 of the Revised Statutes. Moneys collected and deposited in the Fund are used in making grants to local and state law enforcement agencies for the purchase of body vests.

RESOLUTION

RESOLUTION APPROVING PARTICIPATION IN 2011 STATE BODY ARMOR REPLACEMENT GRANT FUNDING PROGRAM

WHEREAS, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to participate to the fullest extent in the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund grant funding program.

Explanation: The Middlesex county Prosecutor's Office will provide up to \$5,000.00 in reimbursement funding to each of the 25 municipal law enforcement agencies to implement their action plan to address community concerns. Eligible items for reimbursement : (1) Overtime Costs for sworn law enforcement personnel being deployed in accordance with the agencies plan (max rate \$55.00 per hour), (2) purchase education related materials related to the community concerns, (3) guest speakers to address community groups related to their concern or to provide instruction to those groups in response to identified concerns, (4) Other proposals put forth by the agency that are deemed by the MCPO to be legitimate expenses made in spirit of law enforcement effort to resolve community concerns.

RESOLUTION

Resolution approving application and participation in Law Enforcement Response to Community Concerns Grant sponsored by the Middlesex County Prosecutor's Office

WHEREAS, the Township of Edison, Department of Public Safety, Division of Police wishes to apply for grant funding to better enable the Department to address any community concerns within the municipality impacting the quality of life of their residents via protective approaches to policing, education and intervention; and

WHEREAS, the grant will provide limited funding to any qualifying law enforcement agency to assist that agency in its efforts to intervene into law enforcement related quality of life concerns brought forth by the community ; and

WHEREAS, the Township of Edison Department of Public Safety, Division of Police wishes to apply and participate to the fullest extent under this grant program.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the Township of Edison.

EXPLANATION: This resolution approves the development and submission of the Township of Edison Division of Fire's web-based, on-line application to the 2011 USDHS FEMA Assistance to Firefighter Grant (AFG) program, for grant funding of up to \$400,000.00, to obtain funds to facilitate the acquisition of a diesel, Pumper Engine, for the protection, improved safety and effective performance of active Edison Division of Fire Firefighters.

RESOLUTION

WHEREAS, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) has provided an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the Assistance to Firefighters Grants (AFG) program; and

WHEREAS, the 2011 USDHS FEMA AFG program provides grant funds to assist local Fire Fighter Companies to acquire a diesel, Pumper Engine to protect and assist Edison Fire Fighters in local firefighting and related hazardous activities; and

WHEREAS, the Township of Edison Division of Fire wishes to apply for grant funding of up to \$400,000.00, available from the 2011 USDHS FEMA AFG program; and

WHEREAS, the 2011 USDHS FEMA AFG program provides 80% in federal grant funds with 20% requisite, local matching funds to awardees.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, according to current 2011 USDHS FEMA AFG regulations, at a regularly-scheduled, public meeting on Wednesday, August 24, 2011.

USDHS FEMA Assistance to Firefighters Grants

The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. The Federal Emergency Management Agency administers the grants in cooperation with the U.S. Fire Administration.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RJR ENGINEERING COMPANY INCORPORATED FOR POOL RENOVATIONS-YMCA FAMILY SWIM CLUB AT OAKCREST

WHEREAS, bids were received by the Township of Edison on August 3, 2011 for Public Bid No. 11-06-27, Pool Renovations-YMCA Family Swim Club at Oakcrest; and

WHEREAS, RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 submitted the lowest legally responsible, responsive bid; and

WHEREAS, It is the intention of the Township to award the base bid (Item No. 1) plus one or more alternates; and

WHEREAS, the Township only has funding at this time to award the base bid (Item No. 1) in the amount not to exceed \$637,300.00 but should funding for one or more alternates becoming available, the Township shall award those alternates at a later date; and

WHEREAS, funds in the amount of \$637,300.00 have been certified to be available in the Middlesex County Oakcrest Swim Club Grant Account, Number G-02-10-0165-804-000; and

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 RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 for Pool Renovations-YMCA Family Swim Club at Oakcrest, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$637,300.00 for Item No. 1, and any other necessary documents, with RJR ENGINEERING COMPANY INCORPORATED as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION

WHEREAS, at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the said tax sale certificates have been redeemed thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling \$251,532.06.

**RESOLUTION AUTHORIZING THE DESIGNATION OF AN AUTHORIZED INDIVIDUAL TO SIGN CHECKS
FROM THE EDISON LANDFILL CLOSURE TRUST FUND AT THE INVESTORS SAVINGS BANK, ACCOUNT No.
299900625**

WHEREAS, the Township of Edison maintains a Landfill Closure Trust Fund at Investor's Savings Bank, Account No. 299900625, and

WHEREAS, the designated individual authorized to sign checks from this account is Mark Acker, a former employee of the Township of Edison, and

WHEREAS, the Township requires a current employee to be authorized to sign checks from this account, and

WHEREAS, Investor's Savings Bank has requested a Resolution of the Township to authorize a change in designated employees to sign checks for this account, and

WHEREAS, Agnes Yang, Comptroller is the designated individual authorized to sign checks in other accounts at this bank,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT Agnes Yang, Comptroller in the Finance Department is hereby designated by the Township to be the authorized individual to sign checks for the Edison Landfill Closure Trust Fund, Account No. 299900625 at the Investor's Savings Bank.

RESOLUTION AUTHORIZING PAYMENT OF FUNDS TO HOAGLAND, LONGO, MORAN, DUNST AND DOUKAS IN ORDER TO PAY CURRENT PROPERTY OWNERS FOR THE ACQUISITION OF EASEMENTS REQUIRED FOR THE TRAFFIC SIGNAL PROJECT AT THE INTERSECTION OF WOODBRIDGE AVENUE AND GURLEY ROAD IN AN AMOUNT NOT TO EXCEED \$20,100.00

WHEREAS, it is necessary to acquire three easements for the traffic signal project at the intersection of Woodbridge Avenue and Gurley Road; and

WHEREAS, Hoagland, Longo, Moran, Dunst and Doukas, attorneys for the Township in this matter, report that permanent easements for the three properties are being held in escrow pending release of the funds to be authorized by this Resolution; and

WHEREAS, the three properties are identified by the attorneys as follows:

Block 265DD, part of lots 18.G and 18.H, owned by PSE&G	\$ 2,200.00
Block 265.FF, part of lots 18.F and 18.E, owned by PSE&G	\$ 7,400.00
Block 375B, part of lot 4-B, owned by Trachtenberg	<u>\$10,500.00</u>
	\$20,100.00

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT the requested funds be paid to the aforementioned attorneys representing the Township in this matter, to be held in escrow pending the transfer of the required easements to the Township of Edison.

RESOLUTION AUTHORIZING A REFUND TO PATRICIA COSTANTINO FOR CHILD CHRISTINA COSTANTINO FOR JUNIOR POLICE ACADEMY REGISTRATION FEES

WHEREAS, Patricia Costantino made application for child Christina Costantino to attend the Edison Police Department Junior Police Academy along with payment registration payment in the amount of \$50.00; and

WHEREAS, Christina Costantino could not attend the Junior Police Academy in order to attend to family matters.

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 \$50.00 to Patricia Costantino, 60 Sturgis Road, Edison, NJ 08817 which amount represents the registration fee for the Edison Police Department Junior Police Academy

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO SCHURMAN FINE PAPERS DBA
AMERICAN GREETINGS FOR OVERPAYMENT OF A RETAIL FOOD LICENSE**

WHEREAS, Schurman Fine Papers, DBA American Greetings, made an online application for renewal of a retail food license for their Menlo Park Mall store in the amount of \$350.00; and

WHEREAS, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Retail Food License for this facility is \$175.00.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$175.00 to Schurman Fine Papers, 500 Chadbourne Rd., Fairfield, CA 94533 which amount represents the amount of overpayment for a retail food license.

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the respective amounts totaling \$172.50 to the former Edison Light Transit riders as listed below:

Ritu Rawat 114 Flatiron Ct, Edison NJ 08820	13 fares @ \$1.50: <u>\$13.50</u>
Sandeep Pathak 61 Carnwath Ct, Edison, NJ 08817	25 farees @ \$1.50: <u>\$37.50</u>
Vijay Rathore 103 Flatiron Ct., Edison, NJ 08820	6 fares @ \$1.50: <u>\$9.00</u>
Annie Varughese 15 Hicks St., Piscataway, NJ 08854	16 fares @ \$1.50: <u>\$24.00</u>
Rekha Karthickeyan 220 Flatiron Ct., Edison, NJ 08820	15 fares @ \$1, 50: <u>\$22.50</u>
Jayaseelan Rajarathinam 25M Reading Rd., Edison, NJ 08817	19 fares@ \$1.50: <u>\$28.50</u>
Subhadra Samalla 1003 Rivendell Way, Edison, NJ 08817	9 fares @ \$1.50: <u>\$13.50</u>
Ranajoy Sarkar 268 Michelle Circle, Edison, NJ 08820	16 fares @ \$1.50: <u>\$24.00</u>

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, H-Mart has grant funds available, through its 2011/2012 Giving Back Program for eligible programs, projects, activities and related costs of qualified organizations in the communities which local H-Mart stores serve, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$2,500 from the 2011/2012 H-Mart Giving Back Program, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the 2011/2012 H-Mart Giving Back Program; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the 2011/2012 H-Mart Giving Back Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, The Edison Senior Citizen Center has served the residents of Edison for over thirty years; and

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

WHEREAS, Exxon-Mobil has grant funds available, through its 2011/2012 Community Outreach/Local Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities in which its facilities operate; and

WHEREAS, the Edison Department of Health and Human Services, intends to apply for grant funding for a maximum of \$2,000 from the Exxon-Mobil 2011/2012 Community Outreach/Local Giving Program, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Citizen Center, to apply for grant funding from the 2011/2012 Exxon-Mobil Community Outreach/Local Giving Program; and

WHEREAS, the Edison Department of Health and Human Services, through the Edison Senior Citizen Center, will utilize all grant funds awarded to it by the Exxon-Mobil 2011/2012 Community Outreach/Local Giving Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Wal-Mart Foundation has grant funds available, through its FY12 Facility Level Giving/Local Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities which local Wal-Mart and Sam's Club stores serve, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$2,500 from the Wal-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the Wal-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Wal-Mart Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$5,000 FROM THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE

WHEREAS, the Township of Edison has been approved to receive a grant of \$5,000.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2011 Municipal Alliance Minigrant Program with no match requirement; and

WHEREAS, the Edison Municipal Alliance/Youth Services Commission wishes to accept said grant from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of Edison; and

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

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

1. The appropriate fiscal officer shall accept the funds in connection with said project from the County of Middlesex and make disbursements in accordance with said application.
2. The Mayor is hereby authorized to execute an agreement, and any and all documents pertaining to said grant.

Explanation: This Resolution awards a Professional Services Agreement to John L. Kraft, Esq., and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township of Edison as Bond Counsel.

RESOLUTION

WHEREAS, the Township is in need of legal services relating to the issuance of bonds, notes and related financing issues; and

WHEREAS, John L. Kraft, Esq. has extensive experience and an excellent reputation in the area of municipal and public entity finance and serving as bond counsel; and

WHEREAS, for these reasons the Mayor recommends, with the approval of the Director of Law, the appointment of John L. Kraft, Esq., and the firm of Lomurro, Davidson, Eastman & Munoz, P.A., for the position of Township Bond Counsel; and

WHEREAS, for these reasons the Township Council recommends John L. Kraft, Esq. for the position of Township Bond Counsel; and

WHEREAS, the Local Public Agreements Law N.J.S.A.. 40A: 11-1 et seq., more specifically N.J.S.A. 40A:11-5, allows for the awarding of a Agreement for "Professional Services" without public advertising for bids; and

WHEREAS, prior to the execution of a Agreement, John L. Kraft, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in Lomurro, Davidson, Eastman & Munoz, P.A., has made any reportable contributions to a political or candidate committee of the Township Council of the Township of Edison in the previous year, and that the Agreement will prohibit an individual with a 10% interest or larger in Lomurro, Davidson, Eastman & Munoz, P.A., from making any reportable contributions through the term of the Agreement, pursuant to N.J.S.A. 19:44A-20.5, et seq; and

WHEREAS, this Agreement is not awarded through a "fair and open process" pursuant to 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, compensation for professional services shall be at the rates in the attached Agreement incorporated herein by reference, any professional services not included in the costs of a bond or note issue as provided for in the attached Agreement are not to exceed \$75,000.00 without prior approval; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township of Edison to enter into the attached Agreement for professional services with John L. Kraft, Esq. and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township as Township Bond Counsel; and

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

1. The Mayor, Township Clerk, Township Attorney, and other necessary Township Officials are hereby authorized to execute and deliver the attached Agreement for professional services with John L. Kraft, Esq. and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township as Township Bond Counsel and all other documents and undertake all actions reasonably necessary to effectuate this Resolution.
2. The Agreement is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Agreements Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Agreement authorized hereby has been provided by the Chief Finance Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable ordinances.
4. No payments in excess of the "not-to-exceed" Agreement amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Agreement shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the Agreement.
6. The Township of Edison may, upon ten (10) days written notice, and without cause, terminate the Agreement.
7. The Agreement shall, for all purposes, be deemed a New Jersey Agreement and any provisions of the Agreement shall be governed and interpreted according to the Laws of the State of New Jersey.
8. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

EXPLANATION: This Resolution authorizes an increase in funds for the final payment for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09.

EDISON TOWNSHIP

RESOLUTION

WHEREAS, a request for legal representation for Sergeant Alex Glinsky and other officers in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 was approved by Resolution R.572-92009 adopted on September 23, 2009 and as amended by Resolution R.659-112009 adopted on November 12, 2009; and

WHEREAS, the Resolutions being two (2) years old have lapsed and a new Resolution is required to pay the remaining legal bills of Lawrence Y. Bitterman, Esq. in the amount of \$9002.00 for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 and authorize an increase in the amount of \$9002.00 over the originally appropriated \$40,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, Middlesex County, New Jersey, that the payment of the remaining legal bills of Lawrence Y. Bitterman, Esq. in the amount of \$9002.00 for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 is hereby approved.

EXPLANATION: This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with KTR Edison, LLC in connection with the property identified as Block 795D, Lots 22.10 and 22.11, commonly referred to as 3003 Woodbridge Avenue, as shown on the Edison Township tax map (the "Property").

EDISON TOWNSHIP

RESOLUTION

WHEREAS, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), for preliminary and final major site plan approval and minor subdivision approval to construct a new office warehouse building on Lot 22.11, modify internal vehicular access within Lot 22.10 and readjust the lot line between Lots 22.10 and 22.11 on its property on 3003 Woodbridge Avenue, as shown as Block 795D, Lots 22.10 and 22.11 on the Township Tax Map (the "Project"); and

WHEREAS, the Board granted the requested preliminary and final site plan and minor subdivision approval and memorialized the same by Resolution on July 18, 2011; and

WHEREAS, the Resolution and the Code of the Township of Edison require the developer to enter into a Developer's Agreement with the Township of Edison in connection with the project; and

WHEREAS, the Developer's Agreement attached hereto has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the developer;

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

1. The Mayor and Township Clerk are hereby authorized to execute the Developer's Agreement with the Developer in the form annexed hereto.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Developer's Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. The Township Clerk is also directed to forward a copy of this Resolution, once adopted, to the Township Attorney and Township Engineer for their records.

EXPLANATION: This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with Fords Corner, LLC, in connection with the property identified as Block 718, Lots 1D, 1F and 1G, commonly referred to as 592 Amboy Avenue and 612 Amboy Avenue, respectively, as shown on the Edison Township tax map (the "Property").

EDISON TOWNSHIP

RESOLUTION

WHEREAS, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), for approval of a preliminary and final major subdivision, site plan and variance approval to merge three undersized lots into one lot and redevelop the property with a convenience store on the property located at 592 Amboy Avenue and 612 Amboy Avenue, respectively, as shown as Block 718 Lots 1D, 1F and 1G on the Township Tax Map (the "Project"); and

WHEREAS, the Board granted the requested preliminary and final major subdivision, site plan and variance and memorialized the same by Resolution on April 5, 2011; and

WHEREAS, the Resolution and the Code of the Township of Edison require the developer to enter into a Developer's Agreement with the Township of Edison in connection with the project; and

WHEREAS, the Developer's Agreement attached hereto has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the developer;

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

1. The Mayor and Township Clerk are hereby authorized to execute the Developer's Agreement with the Developer in the form annexed hereto.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Developer's Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. The Township Clerk is also directed to forward a copy of this Resolution, once adopted, to the Township Attorney and Township Engineer for their records.

EXPLANATION: This Ordinance removes the requirement for a written test for entry level firefighters and makes other changes to reflect the current operation of the Division of Fire, the operation of Fire Inspection Services and Emergency Medical Services.

EDISON TOWNSHIP

ORDINANCE

WHEREAS, the Township wishes to make changes to the Division of Fire to remove the requirement for a written test for entry level firefighters as entry level firefighters must have served two (2) years as volunteer firefighters and must have received a certification from the State of New Jersey Division of Fire Safety as Firefighter 1 which requires, in part, passing a written test, and all applicants for entry level firefighters after January 1, 2012 must have received a certification from the State of New Jersey Division of Fire Safety as Firefighter 2 which also requires, in part, passing a written test; and

WHEREAS, the Township wishes to make changes to the Code Sections for the Division of Fire to reflect the current operation of the Division of Fire, the operation of Fire Inspection Services and Emergency Medical Services.

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

SECTION I. Section 2-33 Division of Fire is hereby amended as follows:

2-33 DIVISION OF FIRE.

2-33.1 Division of Fire, Rescue and Emergency Services.

a. The Division of Fire, Rescue and Emergency Services (hereinafter the "Division") shall consist of the personnel set forth in this subsection 2-33.1 and in subsection 2-33.2 and shall include (i) the following five (5) fire volunteer companies (hereinafter referred to as the "Volunteer Fire Companies"): Raritan Engine Company #1, Raritan Engine Company No. 2, Edison Volunteer Fire Company No. 2, H.K. Volunteer Fire Company No. 1, and Oak Tree Volunteer Fire Company, (ii) any and all paid firefighters, (iii) fire officers, ~~and (iv) Emergency Medical Technicians of the Township.~~

b. The Chief shall be the head of the Division and shall be appointed by the ~~Director of Public Safety~~ Mayor. The Chief of the Division shall be the executive head of the Division and shall be in charge thereof. The Chief shall report to and be under the supervision of the ~~Director of Public Safety~~ the Business Administrator and the Mayor.

c. The Deputy Chiefs of the Division shall be appointed by the ~~Director of Public Safety~~ Mayor. Deputy Chiefs shall be second in command. The Deputy Chiefs shall report to and be under the supervision of the Chief of the Division. A Deputy Chief designated by the Chief of the Division shall perform the duties of the Chief of the Division in the Chief's absence.

~~d. There shall be two (2) Volunteer Deputy Chiefs of the Division who shall be appointed by the Director of Public Safety. Volunteer Deputy Chiefs shall have operational oversight and coordination of the Volunteer Fire Companies. Volunteer Deputy Chiefs shall report to and be under the supervision of the Chief of the Division.~~

~~e. There shall be one (1) Chief Fire Inspector who shall administer the Office of the Fire Prevention Bureau.~~

~~f. There shall be a Division Officer assigned to the Training Bureau who shall administer the Training Bureau.~~

~~g. There shall be a Division Officer assigned to the Emergency Medical Services (the "EMS") Bureau who shall administer the EMS Bureau.~~

2-33.2 Personnel of Division of Fire, Rescue and Emergency Services.

a. *Full-Time/Paid Branch.* The full-time/paid branch of the Division shall consist of the Chief and such number of Deputy Chiefs, Battalion Chiefs, Captains, ~~and Firefighters, Chief Fire Inspector, Fire Inspectors, Emergency Medical Technician Supervisor and Emergency Medical Technicians~~ as shall be determined and appointed by the ~~Director of Public Safety~~ Mayor from time to time.

The actual complement of members of the full-time/paid branch of the Division shall be determined by the ~~Director of Public Safety~~ Mayor all of whom shall act and be known as firefighters ~~and emergency medical technicians~~ of the Township.

b. *Volunteer Branch.* There shall be a volunteer branch within the Division. The personnel of the Volunteer Fire Companies will be consistent with the bylaws of each of the Volunteer Fire Companies.

The volunteer officers shall serve under the supervision of the Chief and Deputy Chiefs of the Division and shall be responsible for the strict enforcement of all laws, ordinances, rules and regulations relating to the Division.

The actual complement of Volunteer Fire Company Officers shall be determined by the bylaws of each of said Volunteer Fire Companies.

c. *Chain of Command of Full-Time/Paid and Volunteer Branches.* In order to promote and advance the efficient operations of the Division, the Chief shall, by general order, establish a chain of command for the Division.

2-33.3 Functions of Division of Fire.

The Division of Fire shall provide protection against loss of life and property by fire or disaster. To this end it shall:

- a. Maintain and operate firehouses and fire-fighting equipment;
- ~~b. Administer a Fire Prevention Bureau;~~
- ~~c. Inspect buildings and other fire risks within the Township;~~
- ~~d. Enforce all general laws, ordinances and fire regulations as authorized or required thereby;~~
- eb. Maintain its equipment and fire department quarters;
- fc. Cooperate with other departments in time of need or emergency.

2-33.4 Reserved.

2-33.5 Firefighters; Entry Level Criteria.

a. Pursuant to N.J.S.A. 40A:14-44, all appointments to the Edison Fire Division shall be made from the members of the volunteer fire company or force, who shall have served as an active fireman for at least two (2) years next preceding such appointment, prior to examination closing date, or an exempt firefighter of Edison Township. Each applicant shall have the following qualifications:

1. Applicant must be a citizen of the United States.
 2. Applicant must be of good moral character; never convicted of any criminal offense involving moral turpitude, an offense involving dishonesty, or a crime of the third degree or above.
 3. Applicant must have a high school diploma or general equivalency diploma and be able to read, write and speak the English language well and intelligently.
 4. Applicant must be able to pass physical agility test.
 5. Applicant should be medically fit and sound, exhibiting no physical impairment which would render the applicant incapable of performing the duties of a fire fighter. Applicant must have normal hearing, be able to distinguish colors accurately and have 20/30 corrected vision.
 6. Applicant must pass the prescribed examinations of physical agility, ~~written,~~ oral, medical and psychology.
 7. Applicant must possess a valid New Jersey Division of Motor Vehicle driver's license at the time of appointment.
 8. Applicant must possess certification from The State of New Jersey Division of Fire Safety as Firefighter 1.
 9. All applicants after January 1, 2012 must possess certification from the State of New Jersey Division of Fire Safety as Firefighter 2.
- b. All applicants shall consent to the following background investigation which will include the following:
1. FBI record check;
 2. State police record check;
 3. Local police record check;
 4. Education record check;
 5. Credit bureau record check;
 6. Military record check;
 7. Past/current employment record check;
 8. Interviews of family, friends, neighbors and acquaintances.
- c. Each applicant shall possess a general knowledge of the organization and duties required by the Division and have the ability to perform the following duties either as an individual or as a group:
1. Forcible entry: have ~~a~~ knowledge of the tools and be able to make entry to ~~an~~ occupancy with the proper tool in a reasonable amount of time.
 2. S.C.B.A.: shall be physically, medically and mentally capable to don S.C.B.A. in prescribed time and perform fire fighting duties with full turnout gear.
 3. First aid: shall be able to perform EMS duties as prescribed by the division, to

an appropriate level of training and gain and maintain certification as determined by the Division.

4. Ropes: shall have ~~a~~ knowledge of Division rope, equipment, knots and care of same.
5. Salvage: shall know proper equipment to utilize and under proper conditions to protect personal property.
6. Hose, nozzles, appliances: shall have basic understanding of the use, choice, maintenance, testing and repair and perform basic evolutions on the fire ground in advancing hose lines.
7. Ladders: shall be able to choose, place, maintain, ascend and descend the appropriate ladder.
8. Ventilation: shall be aware of situations and methods of ventilation used by the Division and perform such functions.
9. Inspection: shall possess a common knowledge of hazardous conditions related to various occupancies and perform public presentations.
10. Rescue: shall be able to use safe and proper procedures to ~~affect~~ affect a rescue of a victim in various situations.
11. Sprinklers: shall possess a basic knowledge in the types, parts, and use and pumper operation.
12. Safety: shall have the utmost concern for safe Fire Division operations on the fire ground, in station, driving and be able to identify such conditions and remedy.
13. Fire behavior: shall have a basic knowledge of fire chemistry, behavior and dynamics.
14. Personal conduct: shall be able to work with others, superior officers, take and perform orders and function in a team effort.

d. *Notification.*

1. The hiring process will begin by a notification to all Edison volunteers through notices posted in all Edison fire stations and notification in the public newspapers stating that the Division of Fire is establishing a list and hiring entry level fire fighters. The notification will list qualifications required, duties, responsibilities, entry level salary and basic employment benefits.
2. There will be a nonrefundable fifty (\$50.00) dollar application fees charged each candidate. Any candidate who can establish to the satisfaction of the ~~Director of Public Safety~~ Mayor that he or she is indigent will have the fee waived.

e. *Background Check.*

1. Each applicant's fingerprints will be taken and submitted to the State of New Jersey and the Federal Bureau of Investigation to determine the possible existence of a criminal record by the applicant.
2. Waivers will be obtained and checks conducted in the following areas:
 - (a) Driving record;
 - (b) Personal credit rating and history;
 - (c) High school transcripts;
 - (d) Transcripts of higher education;
 - (e) Interviews of friends, neighbors, acquaintances, employers (past and present), teachers, clergy, co-workers, law enforcement personnel and any other person who may know the applicant;
 - (f) Personal habits including, but not limited to, social habits and possible substance abuse;
 - (g) Medical history, including present and past injuries and history of sick days taken during periods of employment;
 - (h) Any other area that might affect the applicant's performance as a member of the Division.
3. The following areas are set forth to list the reasons for which an applicant might fail this phase of the criteria:
 - (a) Conviction of a crime of the third degree or higher;
 - (b) Conviction of any crime involving arson;
 - (c) Falsification of any pre-employment information;
 - (d) Applicant does not possess a valid New Jersey driver's license;
 - (e) Applicant is not a high school graduate or equivalent;
 - (f) Applicant, in the opinion of the ~~Director of Public Safety~~ Mayor is not of a high moral character based on the results of interviews and investigations;
 - (g) Failure of drug screen.

f. *Testing Procedures.*

1. All applicants for the position of fire fighter will be administered the following tests ~~which will be weighted as indicated:~~

(a) ~~Written examination (thirty (30%) percent). The written test will be administered by a company, organization or agency that is in the regular business of supplying the fire service with entry level written examinations. Oral board.~~

~~(1) A minimum score, recommended by the testing agency, must be attained in order to qualify for the remainder of the testing.~~

~~(b) Initial oral board (ten (10%) percent).~~

~~(1) Each candidate will be required to appear before an initial oral board. The board will consist of four (4) members of the fire service, selected by the Director of Public Safety, Mayor or his/her designee, and three (3) community leaders, selected by the Director of Public Safety, with the advice and consent of the Mayor, Mayor or his/her designee.~~

~~(2) This board will see each candidate without knowing the candidate's name. The candidate will be identified by the same a confidential number assigned to him or her for the written examination. The board will ask each candidate the same questions formulated by the board members. These questions will not touch upon the applicant's knowledge or lack of knowledge of the fire service. The testing will be videotaped and retained by the Division of Fire.~~

~~(3) The board will evaluate each applicant in the following areas, with this score comprising ten (10%) percent of the total score.~~

~~(i) Ability to express himself/herself;~~

~~(ii) Demeanor;~~

~~(iii) Dress;~~

~~(iv) Reason for wanting a career in the fire service.~~

~~(c) Written essay (five (5%) percent). After appearing before the oral board, each applicant will be required to answer a question in writing. The answer will be confined to no more than two hundred (200) words and no less than one hundred (100). The candidate will be identified by the confidential number only. The answer will be evaluated to determine the applicant's ability to write and punctuate properly, as well as the applicant's ability to express himself or herself in writing. The question will be read by a person or persons qualified to teach English Composition on a minimum of a high school level. Each paper will be given a numerical score from one (1) to one hundred (100).~~

~~(d) Final oral board (twenty five (25%) percent).~~

~~(1) This board, which will consist of four (4) members, will be chosen from well respected members, past and present, of the fire service community, on either a local or State level. The board will be selected by the Director of Public Safety.~~

~~(2) This board will prepare a series of questions to be posed to each applicant. The board members will be permitted to ask questions concerning the fire service and problems and qualities that may be encountered by or desired in fire service personnel.~~

~~(3) Each applicant will be scored by each member of the board in numerical format.~~

~~(e) Physical performance examination (thirty (30%) percent). The applicant, given the proper equipment, will complete the prescribed course in the allotted time. Medical vital signs will be taken before and after the test by members of the training bureau. The test will be in two (2) sections, the first being the course examination and the second being the height ability examination. The two (2) sections have a maximum score of one hundred (100) points.~~

~~(1) Course Examination.~~

~~(i) The examination is designed to test the degree of the candidate's physical ability. Emphasis is placed on agility, speed and most importantly, endurance.~~

~~(ii) The candidate will wear full turnout gear, turnout coat, boots or bunkers, helmet, hood and gloves for Stations No. 1 through Station No. 5; breathing apparatus will be added for Stations No. 6 through No. 9.~~

~~(iii) The candidate will stand in front of the ladder at Station No. 1. When given the command "GO" by the examiner, he or she will raise the ladder to the roof. He or she will proceed up the ladder to the roof, touch the top of the parapet and proceed down the ladder. The candidate will then pick up a fifty (50) foot rolled up length of hose at~~

Station No. 2 and proceed to carry it to Station No. 3 and lay it down beside the engine. The candidate will then proceed to the rear of the engine and gather the necessary tools to make a hook-up of fifty (50) feet of three-inch hose to the hydrant at Station No. 4. A hydrant gate will be hooked up to the other port on the hydrant. The candidate will turn the hydrant on fully. The candidate will return to the engine at Station No. 5 and don a breathing apparatus. From the rear of the engine at Station No. 6, he will stretch a two hundred (200) foot one and three-fourths (1 3/4) inch ~~pre-connect~~ pre-connected line through the door at Station No. 7 and up the stairs to Station No. 8. At Station No. 8, the candidate will drop the nozzle and drag a weighted dummy from Station No. 8 to Station No. 9, which is the finish.

(2) Height Ability Examination. The candidate will be able to climb the one hundred (100) foot aerial ladder at full extension and at a sixty (60) degree angle to the tip of the ladder and back down to the base.

Scoring:

	Points	Time
<u>Course</u>	80	Below 3:15
	70	3:16 – 3:30
	60	3:31 – 3:45
	50	3:46 – 4:00
	40	4:01 – 4:15
	30	4:16 – 4:30
	20	4:31 – 4:45
	10	4:46 – 5:00
<u>Climb</u>	20	<u>No time limit</u>

Scoring:

Course examination

	Time
<u>Pass</u>	<u>Below 5:00 minutes</u>
<u>Fail</u>	<u>Above 5:01 minutes</u>

Scoring:

<u>Climb</u>	<u>No time limit</u>
<u>Pass</u>	<u>Must climb ladder from the turntable and touch the tip of the ladder and climb back down to the turn table of the ladder.</u>
<u>Fail</u>	<u>Does not climb the ladder and touch the tip of the ladder and does not climb back down to the turntable of the ladder.</u>

gd. *Ranking of Applicants.*

1. After completion of all phases of the testing, each applicant will be placed in the appropriate class as defined in N.J.S.A. 40:14-10.1a.

Class I: will consist of all successful applicants residing in Edison Township;

Class II: will consist of all successful applicants residing in Middlesex County;

Class III: will consist of all successful applicants residing in other counties

within New Jersey;

Class IV: will consist of all other qualified applicants.

2. At the time of appointment, applicants chosen by the Mayor from Class I will be sent for medical/physical/psychological testing. In the event that the applicant fails to satisfactorily pass medical/physical/psychological tests, the next ~~ranking~~ applicant chosen by the Mayor from the list will be sent for these tests. If there are no applicants remaining from Class I, the ~~ranking~~ applicant chosen by the Mayor from Class II will be sent. This procedure will be repeated through Class III and Class IV until the last ~~ranking~~ applicant in Class IV has been sent.

3. ~~List of qualified Entry Level Firefighters. The list will be in effect for two (2) years from the date of certification by the Township Clerk. Applicants will be hired from this list at the discretion of the Mayor.~~

~~(a) The list will be in effect for two (2) years from the date of completion of the testing procedure. Applicants will be hired from this list, based on their ranking.~~

~~(b) Provisions extended through December 31, 2010.~~

~~(1) The current list for Entry Level Firefighters, attached hereto,* may be extended by the Mayor through December 31, 2010.~~

~~*Editor's Note: The list may be found on file in the office of the Municipal Clerk.~~

~~(2) Prior to the hiring any applicant must satisfactorily pass the medical/physical/psychological tests required by paragraph 2. above, and otherwise still be qualified for the position.~~

~~he.~~ This section shall take effect following publication in a time and manner prescribed by law.

2-33.6 Firefighters; Promotion Procedures.

a. Criteria for Promotion to Lieutenant/Captain.

1. Ten-years service as a full-time Division fire fighter, with certification or licensed in:

- (a) Journeyman fire fighter;
- (b) Instructional techniques for company officers;
- (c) NJ Division of Fire Safety Incident Management Systems - Level 1.

Note: Equivalent educational certificates in the above areas must be approved by the Chief of the Division of Fire.

2. Written examination will be prepared, administered and graded by ~~an appropriate~~ outside a certified testing service agency. The scoring for these examinations will be from zero to one hundred (100). The cutoff score for the examinations will be seventy (70).

3. Oral board is to consist of Chief, Deputy Chief and a ~~captain~~ Battalion Chief selected by the ~~Director of Public Safety~~ Mayor or his/her designee. Candidates shall be interviewed as to their knowledge of Edison Division of Fire Standard Operating Procedures, Incident Command System and equipment and practices, knowledge of Division of Fire stations and response areas, fire ground operations and safety. The final score shall be determined by averaging the scores.

4. Eligible candidates will also be judged on their fitness and ability, based on information set forth in the personnel files of each candidate. The general weight to be attributed in determining fitness and ability for each of the substantive criteria is as follows in descending order of importance:

- (a) Education and training;
- (b) Leadership ability;
- (c) Judgment;

- (d) Disciplinary record;
- (e) Performance;
- (f) Attendance record;
- (g) Community relations;
- (h) Appearance;
- (i) Team work.

5. The scoring of the examinations and file review will occur in the listed order with weight given as follows:

- (a) File review: 20 percent
- (b) Written examination: 20 percent
- (c) Oral examination: 60 percent

(d) Seniority. Every year of service after ten (10) years is equal to .5 points, up to maximum of 7.5 points.

(e) Any candidate who is a veteran as defined in N.J.S.A. 11A:5-1(b) and has a minimum of two (2) years service as defined therein shall receive one point for each full year of service up to a maximum of four (4) years. Any other candidate who has served in the armed services and has been honorably discharged, or who serves or has served in the reserves of the United States of America shall receive one (1) point for such service.

(f) In the event of candidates receiving identical scores seniority will determine final ranking.

(g) Duration of Candidates.

(1) Upon the completion of the ranking of candidates, the list showing each candidates ranking will be certified by the Township Clerk.

(2) The list will be in force for two (2) years from the date it is certified. A new list shall be prepared and certified within sixty (60) days of the expiration of the promotion list.

(h) The Chief will forward to the ~~Director of Public Safety~~ Mayor the list for his or her review. The ~~Director of Public Safety~~ Mayor will then select the candidate for promotion but shall not be bound by the ranking of candidates.

(i) Miscellaneous.

(1) Violation of any Edison fire department rules and regulations, departmental policy and procedure or violation of any State or Federal statute occurring after the list is certified may result in the candidate being removed from the promotional list or having his or her position lowered on the list.

(2) Any changes in the status of a candidate on this list pursuant to paragraph ~~a.~~ 5(i)(1) above will be at the ultimate discretion of the ~~Director of Public Safety~~ Mayor.

b. *Criteria for Promotion to ~~Captain~~ Battalion Chief.*

1. Certification or licensed in:

(a) NJ Division of Fire Safety Incident ~~command system~~ Command System Level 2;

(b) ~~Certified inspector~~ Fire Inspector State of N.J. Division of Uniform Fire Code Safety;

(c) Building construction;

(d) Arson detection and investigation-;

(e) NJ Division of Fire Safety Instructor 1;

(f) NJ Division of Fires Safety Drill Ground Instructor

Note: Equivalent educational certificates in the above areas must be approved by the Chief of the Division of Fire.

2. The command staff will interview all eligible candidates. The command staff shall consist of the Chief and Deputy Chiefs. The command staff will review all recommended candidates with consideration given to the following criteria in order of importance as follows:

- (a) Job performance;
- (b) Personnel file review;
- (c) Attendance;
- (d) Seniority.

3. The Chief will forward to the ~~Director of Public Safety~~ Mayor the result of his or her review. The ~~Director of Public Safety~~ Mayor will then have the final approval on the candidate for promotion.

4. Any person promoted to ~~captain~~ Battalion Chief after December 31, 1995 shall have two (2) years service in grade as a ~~lieutenant~~ Captain.

5. All promotional lists established by this section shall be posted in a time and manner prescribed by appropriate collective bargaining agreements.

~~e. — Criteria for Promotion to Inspector.~~

~~1. — Five (5) years' service as full time Division fire fighter with certification as New Jersey Uniform Fire Code inspector.~~

~~2. — The command staff will review all recommended candidates with consideration given to the following criteria in order of importance as follows:~~

- ~~(a) — Job performance;~~
- ~~(b) — Personnel file review;~~
- ~~(c) — Attendance;~~
- ~~(d) — Seniority.~~

~~3. — The command staff will forward to the Director of Public Safety the results of their review. The Director of Public Safety will then have the final approval on the candidate for promotion.~~

~~d. — Criteria for Promotion to Chief Inspectors.~~

~~1. — Three (3) years service in grade as inspector, with certification or licensed in:~~

- ~~(a) — Fire official/fire inspectors;~~
- ~~(b) — Fire protection inspector, HHS;~~
- ~~(c) — Management practices for fire officials;~~
- ~~(d) — Life safety code;~~
- ~~(e) — Arson detection and investigation.~~

~~2. — The command staff will review all recommended candidates with consideration given to the following criteria in order of importance as follows:~~

- ~~(a) — Job performance;~~
- ~~(b) — Personnel file review;~~
- ~~(c) — Attendance;~~
- ~~(d) — Seniority.~~

~~3. — The command staff will forward to the Director of Public Safety the results of their review. The Director of Public Safety will then have the final approval on the candidate for promotion.~~

~~e. — All promotional lists established by this section shall be posted in a time and manner prescribed by appropriate collective bargaining agreements.~~

SECTION II. Section 2-34 Emergency Medical Services is hereby amended as follows:

2-34 DIVISION OF EMERGENCY MEDICAL SERVICES.

2-34.1 Emergency Medical Services Chief.

There shall be a Division of Emergency Medical Services within the Department of Administration. The head of the Division shall be the Emergency Medical Services Chief and the Division shall also consist of such Emergency Medical Technicians and other employees as may be necessary for the Division to carry out its duties. All Emergency Medical Technicians and employees shall be required to possess and renew all licenses, certifications and like credentials as may be required by law.

2-34.2 Division Duties.

The Division of Emergency Medical Services shall be responsible for the provision of emergency medical services within the Township of Edison either directly or through contractual arrangement to include but not limited to: ambulance transport, basic life support services ("BLS") advance life support services ("ALS") and emergency medical services ("EMS").

~~2-34.1~~ 2-34.3 Third Party Payment Plan for Emergency Medical Services.

~~_____ a. _____ The New Jersey State Department of Health has issued licensure for the Edison Division of Fire Emergency Ambulance ["the Program"] administered by the Edison Division of Fire, Township of Edison ["the Division"]; and~~

~~_____ b. _____ The Program has been in operation providing experience and statistics regarding the service and the patients served; and~~

~~_____ c. _____ The Division is applying for a "Provider Number" from the Federal and State Medicare/Medicaid Programs, enabling the municipality to institute Third Party Payment Plan [the "Payment Plan"]; and~~

a. The Township hereby establishes a Third Party Payment Plan for Emergency Medical Services ["the Program"].

b. The Township has or will obtain the appropriate licensure from the New Jersey State Department of Health and a "Provider Number" from the Federal and State Medicare/Medicaid Programs prior to implementing the Program.

~~_____ c. _____ Most residents have a health insurance plan or Medicare/Medicaid, which provides payments to relieve their payment obligations; and~~

~~_____ d. _____ The Township shall not balance bill the deductibles and co-pays for Edison residents including those covered by Medicare/Medicaid, nor bill those Edison residents for payment obligations without insurance coverage; and~~

~~_____ e. _____ It is in the best interest of the taxpayers of the municipality to establish the Third Party Payment Plan in accordance with the Health Care Finance Administration ~~guide lines~~ guidelines ["HCFA"] so that taxpayers will not be responsible for any out of pocket expenses.~~

1. The ~~Director~~ Chief of the Division (the "~~Director~~ Chief") and the Chief Financial Officer of the Municipality (the CFO) in consultation with the Municipality's EMS Program Consultant will be responsible for the Plan's billing.

2. The fee service is initially set as four hundred (\$400.00) dollars. Base rate, plus seven dollars and fifty (\$7.50) cents per mile per trip. Non-transportations where aid is provided two hundred (\$200.00) dollars.

3. The ~~Director~~ Chief and the CFO shall annually review the Plan's cost accounting records. The CFO shall obtain an industry average.

4. The Division is authorized to enter into contracts with various hospitals that provide [ALS] services to the patients that are transported by Edison Ambulance Service allowing the hospitals to bundle bill Medicare for services rendered. The hospital will reimburse the municipality for its transportation costs within forty-five (45) days of receiving payment.

5. The Township may contract with the volunteer first aid squads to provide ~~3rd~~ third party billing as established in this section.

6. The CFO shall annually, no later ~~that~~ than March 1, adjust the fees for services as set forth in paragraph ~~4.2. (e)(2)~~ herein pursuant to the recommendation of the ~~Director~~ Chief and the EMS Program Consultants.

7. A certified copy of this section shall be filed with the applicable Federal and/or State agencies.

SECTION III. Section 2-86 Department of Planning and Engineering is hereby amended as follows:

2-86 DEPARTMENT OF PLANNING AND ENGINEERING.

2-86.2 Divisions.

The Department of Planning and Engineering shall be organized into the following ~~four (4)~~ five (5) divisions: Engineering, Planning and Zoning, Housing and Community Development, ~~and~~ Construction Code Enforcement and Fire Prevention. The Director of Planning and Engineering by and through the Department and the Divisions shall:

- a. Develop and support all Township capital improvement programs;
- b. Direct and supervise all engineering, planning, and community development services required by any department, office or agency of the Township, except as otherwise directed by the Mayor or Business Administrator;
- c. Direct and provide for the enforcement of all ~~buildings~~ building codes and zoning ordinances;
- d. Administer all private development applications before the Planning Board and/or Zoning Board of Adjustment.

~~2-92 2-93~~ RESERVED.

2-92. DIVISION OF FIRE PREVENTION.

2-92.1 Fire Official.

Within the Department of Planning and Engineering, there shall be a Division of Fire Prevention. The head of the Division of Fire Prevention shall be the Fire Official and the Division shall also consist of such Fire Inspectors and other employees as may be necessary for the Division to carry out its duties. All Fire Inspectors and employees shall be required to possess and renew all licenses, certifications and like credentials as may be required by law.

2-90.2 Division Duties.

The Division of Fire Prevention shall enforce all Edison ordinances and fire regulations as authorized or required thereby, inspect buildings and other fire risks within the Township and other duties as may be assigned by the Director of Planning and Engineering, however, such duties shall not include the enforcement of the Fire Protection Subcode of the New Jersey Uniform Construction Code, N.J.S.A. 52:27D-119 et seq. and N.J.A.C. 5:23.

2-93 RESERVED.

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

Explanation: This Resolution awards a Professional Services Contract to Karl P. Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney.

RESOLUTION

WHEREAS, Karl P. Kemm, Esq., previously handled various legal matters on behalf of the Township of Edison, has an excellent reputation in the area of municipal government, has practiced law for many years, has knowledge of the Township of Edison ("Township") and has extensive legal staff and resources and a multi-disciplinary practice necessary to handle any matter in the municipal arena and any other unanticipated legal issue which may arise from time to time; and

WHEREAS, for these reasons the Mayor and the Township Council recommend Karl P. Kemm, Esq., for the position of Township Attorney; and

WHEREAS, the Local Public Contracts Law N.J.S.A.. 40A: 11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

WHEREAS, prior to the execution of a contract, Karl P. Kemm, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in Hoagland, Longo, Moran, Dunst & Doukas, LLP, has made any reportable contributions to a political or candidate committee in the Township Council of the Township of Edison in the previous year, and that the contract will prohibit an individual with a 10% interest or larger in Hoagland, Longo, Moran, Dunst & Doukas, LLP, from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, this contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, compensation for the professional services included under the Township Attorney Retainer shall be the sum of \$33,000.00, payable in 12 monthly installments at the first Council Meeting of each month, and shall include:

Advise the Council. Advise the Council or its committees or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business;

Prepare Ordinances. Prepare and revise all ordinances of the Code when so requested by the Council or any committee thereof;

Prepare Resolutions. Prepare or draft and revise all resolutions when so requested by the Council or any committee or member thereof;

Render Opinions. Render his or her opinion on any legal matter or question submitted to him or her by the Council or any of its committees or by any Township officer, in writing or orally;

Attend Council Meetings. Attend Council meetings, including special meetings and conference meetings, for the purpose of giving the Council any legal advice requested by its members;

Bid Openings. Attend and advise the Council or any designated officer of the Township in the opening and awarding of public bids; and

WHEREAS, compensation for the professional services outside of the scope of the above Township Attorney Retainer including but not limited to:

Advise the Mayor and Administration or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business; and

Represent the Township in all legal matters and litigation matters and before all boards and government agencies.

shall be at a rate of \$140 per hour for all attorneys and \$70 per hours for legal assistants, in an amount not to exceed \$235,250.00 (inclusive of expenses); and

WHEREAS, the Township Council feels that it is in the best interest of the Township of Edison to enter into the attached Contract for Professional Services with Karl P. Kemm, Esq. and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township as Township Attorney; and

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

9. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract for Professional Services with Karl P. Kemm, Esq. and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township as Township Attorney.
10. The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
11. A certificate showing the availability of funds for the Contract authorized hereby has been provided by the Chief Financial Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2011 calendar year.
12. No payments in excess of the "not-to-exceed" Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
13. Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
14. The Mayor of Edison may, upon ten (10) days written notice, and without cause, terminate the Contract.
15. The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

CERTIFICATION

I hereby certify that funds in the amount of \$235,250.00 are available in Account No. 1-01-20-0155-001-020.

Lawrence Pollex
Acting Chief Financial Officer

Explanation: This Resolution awards a Professional Services Contract to Louis Rainone, Esq., and DeCotiis, FirzPatrick & Cole, LLP, to represent the Township as labor counsel.

RESOLUTION

WHEREAS, Louis Rainone, Esq., previously handled legal matters on behalf of the Township of Edison; and

WHEREAS, the Mayor recommends, with the approval of the Director of Law, that Louis Rainone, Esq., for the position of Labor Counsel; and

WHEREAS, the Local Public Contracts Law N.J.S.A.. 40A: 11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

WHEREAS, prior to the execution of a contract, Louis Rainone, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in DeCotiis, FitzPatrick & Cole, LLP, has made any reportable contributions to a political or candidate committee in the Township Council of the Township of Edison in the previous year, and that the contract will prohibit an individual with a 10% interest or larger in DeCotiis, FitzPatrick & Cole, LLP, from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, this contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, compensation for the professional services shall be at a rate of \$140 per hour for all attorneys and \$70 per hours for legal assistants, in an amount not to exceed \$200,000.00 (inclusive of expenses); and

WHEREAS, the Township Council feels that it is in the best interest of the Township of Edison to enter into the attached Contract for Professional Services with Louis Rainone, Esq. and DeCotiis, FitzPatrick & Cole, LLP, to represent the Township as special counsel for the limited outstanding tax appeals herein identified, and

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract for Professional Services with Louis Rainone, Esq. and DeCotiis, FitzPatrick & Cole, LLP, to represent the Township as Labor Counsel.
2. The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Contract authorized hereby has been provided by the Chief Financial Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2011 calendar year.
4. No payments in excess of the "not-to-exceed" Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Township of Edison may, upon ten (10) days written notice, and without cause, terminate the Contract.

7. The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.

8. The contractor shall report directly to the Edison Township Attorney, who will be the chief contact with the Township of Edison.

9. The contractor shall notify the Edison Township Attorney when 80% of the "not-to-exceed" amount is attained.

10. All work relating to the demotions of policemen and fireman in the letters of January 8, 2010 from Mayor Ricigliano will be billed separately.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

CERTIFICATION

I hereby certify that funds in the amount of \$200,00.00 are available in Account No. 1-01-20-0155-001-020.

Lawrence Pollex
Acting Chief Financial Officer

EXPLANATION: This resolution enables the Township of Edison to apply to the FM Global Fire Prevention Grant Program for grant funding up to \$3,000.00, to acquire high-performance, digital cameras to assist in inspections and investigations as related to the effective performance of the Bureau of Fire Prevention and Safety, Department of Planning & Engineering, Township of Edison.

TOWNSHIP OF EDISON **MUNICIPAL RESOLUTION**

WHEREAS, the FM Global Insurance Company has provided and continues to provide opportunities to local Fire Departments, Fire Prevention & Safety Bureaus and Municipalities, throughout the United States of America, to apply for grant funding under its Fire Prevention Grant Program; and

WHEREAS, the FM Global Fire Prevention Grant Program provides grant funds to assist local Fire Departments and Municipalities to acquire equipment to assist and support local fire prevention activities; and

WHEREAS, the Township of Edison Division of Fire plans to apply for grant funding of up to \$3,000.00, available from the FM Global Fire Prevention Grant Program; and

WHEREAS, the FM Global Fire Prevention Grant Program does not require matching funds from applicants submitting applications for support of eligible projects and activities.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application to the FM Global Fire Prevention Grant Program, at a regularly-scheduled public meeting on Wednesday, August 24, 2011.

EXPLANATION: this Ordinance authorizes the Township of Edison to establish a Traffic Control Signal at the intersection of Vineyard Road and Costco Wholesale North Driveway.

EDISON TOWNSHIP

ORDINANCE

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

SECTION 1. That the intersection of **Vineyard Road and Costco Wholesale North Driveway** shall be controlled by a Traffic Control Signal in accordance with Plan bearing the date of June 23, 2010, revised through May 11, 2011, prepared by Atlantic Traffic & Design Engineers, Inc., and As-Built on May 11, 2011, and traffic signal timing dated August 3, 2010, with plan prepared by Atlantic Traffic & Design Engineers, Inc., and inspected and certified on the date of May 17, 2011 by Corey M. Chase, P.E., of Atlantic Traffic & Design Engineers, Inc., NJ P.E. License No. 47470.

SECTION 2. That the Traffic Control Signal shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes AND the New Jersey Administrative Code, AND SHALL BE OPERATED IN CONFORMANCE WITH THE DESIGNATED PLAN.

SECTION 3. That this ordinance shall take effect twenty (20) days after adoption and publication and approval by the Mayor in accordance with N.J.S.A. 40:69A:181(b) and upon the acknowledgement of the Commissioner of the Department of Transportation.

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That if any clause, section or provision of this ordinance is declared invalid by a Court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portion hereof.

SECTION 6. When the ordinance is finally adopted, the Clerk is to send a certified copy to David J. Martin, Acting Manager, Bureau of Traffic Engineering and Investigations, State of New Jersey, Department of Transportation, P.O. Box 600, Trenton, NJ 08625-0600, for NJDOT approval review and acknowledgement.

EXPLANATION: This resolution provides concurrence from the Municipal Council of the Township of Edison on the installation of a multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway, and the construction of associated roadway improvements.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, an application by Cost Wholesale (the “Applicant”) was approved by the Planning Board under Case # 19-09/10 for final site plan approval, for the construction of a new Costco Gas Station facility on a portion of Block 197, Lot 9.01; and

WHEREAS, the approved development plans provide for certain off-site improvements along Vineyard Road including the installation of a proposed multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway; and

WHEREAS, a Traffic Impact Analysis, dated October 21, 2009 revised January 13, 2010, has been prepared by the applicant’s traffic engineer, Atlantic Traffic & Design Engineers, Inc., and the proposed public traffic improvements include constructing the Costco gasoline station, roadway improvements on Vineyard Road, and the installation of a multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway; and

WHEREAS, the signalized intersection improvements do require NJDOT approval, and the NJDOT on May 24, 2010 issued an Authorization to Design – New Traffic Control Signal; and

WHEREAS, the Township Engineer has reviewed the NJDOT’s Authorization to Design letter which authorizes the design, installation, activation and inspection of a traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway, and accordingly recommends that the proposed subject multi-phase traffic control signal be installed and that the associated roadway improvements be constructed on Vineyard Road.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the Township of Edison concurs that the proposed multi-phase traffic signal at the intersection of Vineyard Road and the Costco Wholesale North be installed and that the associated roadway improvements be constructed on Vineyard Road, as proposed under Planning Board Case # 19-09/10 final site plan approval for the Costco Gas Station.

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Builders General Supply, Inc., **Application #Z31-03/04** located at 1177 Inman Avenue in Block: 426, Lot: 1-P 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 inspection fees for this application is a zero balance, also the Certificate of Occupancy was issued on September 24, 2007, since this project has extended beyond the two-year maintenance period there will be no maintenance guarantee required; and

WHEREAS, on March 16, 2005 Builders General Supply Company, having offices at 15 Sycamore Avenue, Little Silver, N.J. 07739 posted a cash performance bond check #50906947 in the amount of \$360.00 on deposit in account #7760013243; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond in the amount of \$360.00 to the applicant and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to **return the aforesaid Cash Performance Bond in the amount of \$360.00 to the applicant; and**

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to **return the aforesaid Cash Performance Bond in the amount of \$360.00, plus accrued interest, if applicable, on deposit in account #7760013243 to the applicant.**

EXPLANATION: This resolution provides for refund of the inspection portion of the construction permit fee, and less the 20% municipal plan review fee per the UCC, posted for a construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on March 30, 2011, a Construction (Building) Permit fee, check #1431, permit # 2011-0880, was posted in the total amount of \$688.00 by the contractor; Dajon Associates, Inc.;

WHEREAS, the application was submitted to perform structural repairs to arches at 37 Plainfield Rd for the Guardian Angels Church, who at a later date were granted waiver of building permit and application fees through action of the Municipal Council of the Township of Edison, under Resolution No. R.249-042011, adopted on April 13, 2011, and;

WHEREAS, it is therefore appropriate that the municipal permit inspection fee in the amount of \$616.00, derived from the \$688.00 total construction permit fee less the \$72.00 DCA fee, for permit #2011-0880; to be refunded to the applicant, and

WHEREAS, the Township Engineer recommends the refund of the municipal permit inspection fee, on Construction Permit #2011-0880, in the total amount of \$616.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$616.00 on the inspection portion of permit fees be refunded to the contractor, Dajon Associates, Inc., having offices at 12 Dyatt Place, Hackensack, NJ 07601;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$616.00 from the Refund of Revenue Fund to the contractor, Dajon Associates, LLC.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on January 21, 2011, a Construction (Building) Permit fee, check #2603, permit # 2011-0207, was posted in the total amount of \$150.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

WHEREAS, the application was submitted to replace an existing Furnace at 8 McAvoy Road by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$135.00, derived from the \$150.00 total construction permit fee less the \$15.00 DCA fee, be refunded to the Homeowner Ruth Lemmons, residing at 8 McEvoy Road, Edison, NJ 08837; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0207, in the amount of \$135.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$135.00 on construction permit fees posted by Edison Heating and Cooling for 8 McEvoy be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$135.00 from the Refund of Revenue Fund to the Homeowner, Ruth Lemmons, 8 McEvoy, Edison, NJ 08837.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on November 16, 2010, a Construction (Building) Permit fee, check #2221, permit # 2010-3688, was posted in the total amount of \$140.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

WHEREAS, the application was submitted to replace an existing Furnace and Air Conditioning unit at 11 Montclair Avenue by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$133.00, derived from the \$140.00 total construction permit fee less the \$7.00 DCA fee, be refunded to the Homeowners James and Joan Sorensen, residing at 11 Montclair Avenue, Edison, NJ 08837; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2010-3688, in the amount of \$133.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$133.00 on construction permit fees posted by Edison Heating and Cooling for 11 Montclair Avenue be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$133.00 from the Refund of Revenue Fund to the Homeowners, James and Joan Sorensen, 11 Montclair Avenue, Edison, NJ 08837.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on November 19, 2010, a Construction (Building) Permit fee, check #2232, permit # 2010-3712, was posted in the total amount of \$144.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

WHEREAS, the application was submitted to replace an existing Furnace at 37 Turner Avenue by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$133.00, derived from the \$144.00 total construction permit fee less the \$11.00 DCA fee, be refunded to the Homeowner Ellen Rosenberg, residing at 37 Turner Avenue, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2010-3712, in the amount of \$133.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$133.00 on construction permit fees posted by Edison Heating and Cooling for 37 Turner Avenue be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$133.00 from the Refund of Revenue Fund to the Homeowner, Ellen Rosenberg, 37 Turner Avenue, Edison, NJ 08820.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on January 21, 2011, a Construction (Building) Permit fee, check #2604, permit # 2011-0208, was posted in the total amount of \$164.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

WHEREAS, the application was submitted to replace an existing Furnace and Air Conditioning unit at 48 Morgan Drive by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$147.00, derived from the \$164.00 total construction permit fee less the \$17.00 DCA fee, be refunded to the Homeowner Marvin Schwarzber, residing at 48 Morgan Drive, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0208, in the amount of \$147.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$147.00 on construction permit fees posted by Edison Heating and Cooling for 48 Morgan Drive be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$147.00 from the Refund of Revenue Fund to the Homeowner, Marvin Schwarzber, 48 Morgan Drive, Edison, NJ 08814 .

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on February 10, 2011, a Construction (Building) Permit fee, check #281888, permit # 2011-0337, was posted in the total amount of \$91.00 by the contractor, Slomins, having offices at 467 Creamery Way, Exton, PA 19341; and

WHEREAS, the application was submitted to install a burglar alarm at 49 Phoenix Avenue by the hired contractor; Slomins, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$90.00, derived from the \$91.00 total construction permit fee less the \$1.00 DCA fee, be refunded to the Homeowner Dolores Truskowski, residing at 49 Phoenix Avenue, Edison, NJ 08837; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0337, in the amount of \$90.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$90.00 on construction permit fees posted by Slomins for 49 Phoenix Avenue be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$90.00 from the Refund of Revenue Fund to the Homeowner, Dolores Truskowski, 49 Phoenix Avenue, Edison, NJ 08837.

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

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on February 11, 2011, a Construction (Building) Permit fee, check #2676, permit # 2011-0359, was posted in the total amount of \$140.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

WHEREAS, the application was submitted to replace an existing Furnace at 57 Carriage Place by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$135.00, derived from the \$140.00 total construction permit fee less the \$5.00 DCA fee, be refunded to the Homeowner Anthony Passannante, residing at 57 Carriage Place, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0359, in the amount of \$135.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$135.00 on construction permit fees posted by Edison Heating and Cooling for 57 Carriage Place be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$135.00 from the Refund of Revenue Fund to the Homeowner, Anthony Passannante, 57 Carriage Place, Edison, NJ 08820.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Township of Woodbridge as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$619,636.00.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2011 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 for the administration of the grant; and

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

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

WHEREAS, Woodbridge Township's will receive a total allocation of \$638,800.00 for the 2011 program year of which \$576,261.00 will be used for rental assistance and 7 percent or \$43,375.00 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Department of Planning & Development**, Township of Woodbridge, 1 Main Street, Woodbridge, NJ 07095, in an amount not to exceed \$619,636.00 to administer the HOPWA Grant in Middlesex and Somerset Counties, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Monmouth County Human Services Department, as a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$491,435.00.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2011 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 for the administration of the grant; and

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

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

WHEREAS, Monmouth County Division of Social Services will receive a total allocation of \$491,435.00 for the 2011 program year of which \$457,035.00 will be used for rental assistance and 7 percent or \$34,400.00 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Monmouth County Department of Human Services**, Kozolski Road, PO Box 3000, Freehold, NJ 07728, in an amount not to exceed \$491,435.00 to administer the HOPWA Grant in Monmouth County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Ocean County Board of Social Services, a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$341,868.00.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2010 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 for the administration of the grant; and

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

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

WHEREAS, Ocean County Board of Social Services will receive a total allocation of \$341,868.00 for the 2011 program year of which \$317,937.00 will be used for rental assistance and 7 percent or \$23,931.00 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Ocean County Board of Social Services**, 1027 Hooper Avenue, PO Box 547, Toms River, NJ 08754-0547, in an amount not to exceed \$341,868.00 to administer the HOPWA Grant in Ocean County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

RESOLUTION

WHEREAS, Inverness Ct. LLC posted a Tree Maintenance Bond check #0429 in the amount of \$3,555.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-104, located at 927 Beatrice Parkway, Block: 927 and Lots: 5.01, 6.01; and

WHEREAS, a Tree Maintenance Bond was posted on December 28, 2006 in the amount of \$3,555.00, on deposit in account #7760237668; and

WHEREAS, the Certificate of Occupancy was issued on May 6, 2008; 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 \$3,555.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$3,555.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$3,555.00, plus accrued interest, if applicable, on deposit in Account #7760237668 to Inverness Ct. LLC having offices at P.O. Box 346, Short Hills, N.J. 07078.

RESOLUTION

WHEREAS, Vincent Stallings, posted a Tree Maintenance Bond check #190 in the amount of \$675.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-12, located at 245 Fletcher Street, Block: 921 and Lot: 2-B; and

WHEREAS, a Tree Maintenance Bond was posted on February 21, 2007 in the amount of \$675.00, on deposit in account #7760237682; and

WHEREAS, the Certificate of Occupancy was issued on July 24, 2008; 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 \$675.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$675.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus accrued interest, if applicable, on deposit in Account #7760237682 to Vincent Stallings having offices at 245 Fletcher Street, Edison, N.J.08820-1765.

EXPLANATION: This Resolution grants permission from the Municipal Council of the Township of Edison to International Fireworks to conduct a fireworks display for a Fall Festival celebration at Lake Papaiani, in Papaiani Park, in the Township of Edison, Middlesex County, New Jersey scheduled for Saturday, September 10, 2011.

TOWNSHIP OF EDISON

RESOLUTION R. _____

Whereas, International Fireworks has applied to the Township of Edison for a permit to discharge fireworks on Saturday, September 10, 2011, for a Fall Festival celebration taking place at Lake Papaiani, in Papaiani Park; and

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

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

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

1. The Municipal Council of the Township of Edison does hereby grant permission for International Fireworks to conduct a fireworks display on the evening of, Saturday, September 10, 2011 at approximately 8:30 p.m. on the grounds of Lake Papaiani, in Papaiani Park, in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** International Fireworks posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** International Fireworks post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution of authorization from the Municipal Council of the Township of Edison to issue any such fireworks permit.
3. The Division of Fire and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township clerk of Edison Township is directed to forward a copy of this resolution to Garden State Fireworks, the Fire Prevention Bureau, the Division of Fire, and Division of Police.
5. The Pursuant to N.J.S.A. 21:3-6 a duplicate copy of the application, the Fire Safety Permit issued for this fireworks display and this Resolution shall be forwarded to the Office of Safety Compliance in the Department of Labor by the Township Clerk of Edison Township.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO A-PLUS
CONSTRUCTION FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2010 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were received by the Township of Edison for Case Number 0211; and

WHEREAS, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the lowest quote in the amount of \$7,750.00; and

WHEREAS, funds in the amount of \$7,750.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-10-0510-000-001.

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

1. All quotes have been reviewed, and the quote in the amount of \$7,750.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$7,750.00 and any other necessary documents, with A-PLUS CONSTRUCTION as described herein.

Explanation: This Resolution authorizes the release of \$125,000.00 from the Township's Affordable Housing Development Trust Fund to SERV Properties and Management, Inc. for the provision of a group home to be used for the acquisition, due diligence, and closing costs of five (5) units of Supportive Shared Living housing (\$25,000.00 per unit).

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township of Edison is expected to receive formal approval from the Council on Affordable Housing of its Spending Plan that will allow the Township to use a portion of its Affordable Housing Development Fees for five (5) units of Supportive Shared Living units at 5 Webster Place under contract for purchase and sponsored by SERV Properties and Management, Inc.; and

WHEREAS, the Municipal Council of the Township of Edison has heretofore authorized the Mayor and Township Clerk to execute a Deed Restriction with SERV Properties and Management, Inc. to confirm the Affordable Housing restrictions placed on the property located at 5 Webster Place within the Township; and

WHEREAS, the Resolution is required in order to authorize the Acting Chief Financial Officer of the Township of Edison to release a check in the sum of \$125,000.00 to SERV Properties and Management, Inc. (upon receipt of signed Deed Restriction) to foster the production of affordable housing within the Township of Edison.

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 sum of \$125,000.00 is hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "SERV Properties and Management, Inc." (upon receipt of signed Deed Restriction) to foster five (5) Supportive Shared Living units at 5 Webster Place in the Township of Edison;
2. The Acting Chief Financial Officer of the Township of Edison is hereby authorized to forward the aforesaid check in the sum of \$125,000.00 (upon receipt of signed Deed Restriction) to:

SERV Properties and Management, Inc.
20 Scotch Road
Ewing, NJ 08628;
3. A certified and true copy of this Resolution, once adopted, is to be provided to the Township Attorney and the Municipal Housing Liaison for their records.

RESOLUTION AWARDING ADDITIONAL MONIES TO ANDY MATT INCORPORATED FOR THE FURNISHING OF INFIELD MIX UNDER THE GROUND MATERIALS PUBLIC BID

WHEREAS, bids were received by the Township of Edison on April 29, 2011 for Public Bid No. 11-10-26- Ground Materials; and

WHEREAS, As part of the aforementioned bid, Resolution R.593-072011 authorized the Township to enter into a contract in an amount not to exceed \$10,000.00 with BARTEL LANDSCAPING, 400 Talmadge Road, Edison, NJ 08817 for Item No. 4, Infield Mix at \$45.00 per ton; and

WHEREAS, prior to them signing said contract, BARTEL LANDSCAPING notified the Township that they could no longer supply Infield Mix as their supplier has stopped carrying the item; and

WHEREAS, ANDY MATT INCORPORATED, 11 Scrub Oaks Road, Mine Hill, NJ 07803 is the next lowest bidder of Infield Mix at \$48.00 per ton;

WHEREAS, ANDY MATT INCORPORATED was also awarded a portion of the Grounds Materials bid not to exceed \$11,000.00 by Resolution R.591-072011;

WHEREAS, this resolution would add an additional \$19,000.00, making the total contract amount \$30,000.00 to ANDY MATT INCORPORATED under Public Bid No. 11-10-26; and

WHEREAS, the total amount of this resolution, not to exceed \$19,000.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid for Infield Mix in the amount of \$19,000.00 by ANDY MATT INCORPORATED, 11 Scrub Oaks Road, Mine Hill, NJ 07803 for Infield Mix is determined to be the lowest legally responsible bid.
2. The Mayor, or her designee, is hereby authorized to add an additional \$19,000.00 to the contract with ANDY MATT INCORPORATED for a total contract amount of \$30,000.00.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO FORDS LAWN
MOWER FOR A WALK BEHIND MOWER/CATCHER FOR THE DEPARTMENT OF PUBLIC
WORKS**

WHEREAS, quotes were solicited by The Township of Edison for a walk behind mower/catcher for the Department of Public Works; and

WHEREAS, FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 submitted the lowest quote in the amount of \$6,875.54; and

WHEREAS, funds in the amount of \$6,875.54 have been certified to be available in the Sewer-Vehicle Replacement Account, No. C-08-08-1617-290-430; and

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

1. All quotes have been reviewed, and the quote as submitted by FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 for a walk behind mower/catcher for the Department of Public Works, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$6,875.54, and any other necessary documents, with FORDS LAWN MOWER.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO JET VAC,
INCORPORATED FOR REPAIRS OF THE GMC VACTOR TRUCK FOR THE DEPARTMENT
OF PUBLIC WORKS**

WHEREAS, quotes were solicited by the Township of Edison for repairs to the 2003 GMC Vactor Truck for the Department of Public Works; and

WHEREAS, JET VAC INCORPORATED, P.O. Box 222, Northville, MI 48167 submitted the sole quote in the amount of \$11,065.59; and

WHEREAS, funds in the amount of \$11,065.59 have been certified to be available in the Sewer-Other Contractual Items Account, No. 1-07-55-0501-000-029.

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

1. All quotes have been reviewed, and the quote as submitted by JET VAC INCORPORATED, P.O. Box 222, Northville, MI 48167 for repairs to the 2003 GMC Vactor Truck is determined to be the sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$11,065.59, and any other necessary documents, with JET VAC INCORPORATED.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO Q MECHANICAL
INCORPORATED TO REPAIR SEWER AND VENT PIPE AT THE AMBOY AVENUE
FIREHOUSE**

WHEREAS, quotes were solicited by the Township of Edison to repair the sewer and vent pipe at the Amboy Avenue Firehouse; and

WHEREAS, Q MECHANICAL CONTRACTOR INCORPORATED, 951 Hilltop Road, Plainfield, NJ 07060 submitted the lowest quote in the amount of \$14,738.00; and

WHEREAS, funds in the amount of \$14,738.00 have been certified to be available in the Repair Firehouses and Municipal Complex Account, Number C-04-05-1452-391-004.

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

1. All quotes have been reviewed, and the quote as submitted by Q MECHANICAL CONTRACTOR INCORPORATED, 951 Hilltop Road, Plainfield, NJ 07060 to the repair sewer and vent pipe at the Amboy Avenue Firehouse.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$14,738.00 and any other necessary documents, with Q MECHANICAL CONTRACTOR INCORPORATED as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$14,738.00** are available, for the above contract in Account No. **C-04-05-1452-391-004**.

Larry Pollex
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RANI BARINEPALLE FOR THE DELAWARE RIVER TUBING
TRIP**

WHEREAS Rani Barinepalle made permission slips/applications with payment in the amount of \$75.00 for her and her children Suhas & Varsha Etigunta to attend the Delaware River Tubing trip; and

WHEREAS Rani Barinepalle has decided to withdraw the permission slips/applications within the required cancellation period for this trip.

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 \$75.00 to Rani Barinepalle, 252 W. Prescott Ave., Edison, NJ 08820, which amount represents the fees for admission and transportation to the Delaware River Tubing trip.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
PATRICIA KIEDERLING FOR THE KEANSBURG AMUSEMENT
PARK TRIP**

WHEREAS Patricia Kiederling made a permission slip/application with payment in the amount of \$30.00 for her child Angela Pagut to attend the Keansburg Amusement Park trip; and

WHEREAS Patricia Kiederling has decided to withdraw the permission slip/application within the required cancellation period for this trip.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$30.00 to Patricia Kiederling, 149 Vineyard Rd., Edison, NJ 08817, which amount represents the fees for admission and transportation to Keansburg Amusement Park.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MADHURI KAKARLA FOR THE KEANSBURG AMUSEMENT
PARK TRIP**

WHEREAS Madhuri Kakarla made a permission slip/application with payment in the amount of \$30.00 for her child Abhigna Nadnella to attend the Keansburg Amusement Park trip; and

WHEREAS Madhuri Kakarla has decided to withdraw the permission slip/application within the required cancellation period for this trip.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$30.00 to Madhuri Kakarla, 714 Rivendell Way, Edison, NJ, 08817, which amount represents the fees for admission and transportation to Keansburg Amusement Park.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
VIDYA SONAVANE FOR THE ABC PROGRAM**

WHEREAS Vidya Sonavane made payment in the amount of \$225.00 for her children Kartik Sonavane and Omkar Sonavane's participation in the ABC Program at Herbert Hoover Middle School and Washington Elementary School; and

WHEREAS Vidya Sonavane had surgery and is home to care for her children.

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 \$225.00 to Vidya Sonavane, 2801 Forest Haven Blvd., Edison, NJ 08817, which amount represents the monthly fee for two children in the afternoon ABC/YAP programs.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
DONNA GASSER FOR THE ABC PROGRAM**

WHEREAS Donna Gasser made payment in the amount of \$90.00 for her child, Nicole Gasser's participation in the ABC Program at James Madison Intermediate Elementary School; and

WHEREAS the mother is on disability and will be at home to care for her child.

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 \$90.00 to Donna Gasser, 18 Tingley Lane, Edison, NJ 08820, which amount represents the monthly fee for the ABC program.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
TIMOTHY ALEXANDER FOR THE ABC PROGRAM**

WHEREAS Timothy Alexander made application together with payment in the amount of \$25.00 for his child, Madison Alexander's participation in the ABC Program at James Monroe Elementary School; and

WHEREAS Timothy Alexander submitted duplicate applications for his child.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$25.00 to Timothy Alexander, 5 Lincoln Ave., Edison, NJ 08837, which amount represents the registration fee for the ABC program.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
CATHY LEIGHT FOR THE RENTAL OF YELENCISICS PARK**

WHEREAS Cathy Leight made an overpayment in the amount of \$100.00 for the rental of Yelencisics Park; 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 \$100.00 to Cathy Leight, 310 Poll Pl., Edison, NJ 08817, which amount represents the amount of the overpayment.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
VIGNESH KOTTAIVEEDU FOR MULTIPLE PLAYGROUND
TRIPS**

WHEREAS Vignesh Kottaiveedu made permission slips/applications with payment in the amount of \$127.00 for his child Anjana Kottaiveedu to attend multiple summer playground trips to the Philadelphia Zoo, Hurricane Harbor, Keansburg Amusements and Dorney Park; and

WHEREAS Vignesh Kottaiveedu has decided to withdraw the permission slips/applications within the required cancellation period for all the trips.

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 \$127.00 to Vignesh Kottaiveedu, 2712 Rivendell Way, Edison, NJ 08817, which amount represents the fees for admission and transportation to the Philadelphia Zoo, Hurricane Harbor, Keansburg Amusements and Dorney Park.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO INTERNATIONAL
FIREWORKS MANUFACTURING COMPANY FOR A FIREWORKS DISPLAY AT THE FALL
FAMILY SPECTACULAR**

WHEREAS, quotes were solicited by the Township of Edison to provide a fireworks display for the Fall Family Spectacular to be held on September 10, 2011; and

WHEREAS, INTERNATIONAL FIREWORKS MANUFACTURING COMPANY, P.O. Box 6, Sycamore Road, Douglassville, PA, 19518 submitted the lowest quote in the amount of \$8,000.00; and

WHEREAS, funds in the amount of \$8,000.00 have been certified to be available in the Reserve for Donations to Fall Family Spectacular, Account Number T-13-00-00-000-000-029.

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

1. All quotes have been reviewed, and the quote as submitted by INTERNATIONAL FIREWORKS MANUFACTURING COMPANY, P.O. Box 6, Sycamore Road, Douglassville, PA 19518 to supply a fireworks display for the Fall Family Spectacular, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$8,000.00 and any other necessary documents, with INTERNATIONAL FIREWORKS MANUFACTURING COMPANY as described herein.

EXPLANATION: This Resolution authorizes the Mayor and Township Clerk to execute the attached Concurrent Jurisdiction Agreement with the Edison Job Corps Academy for the Township Police to have jurisdiction to enforce the laws at the Edison Job Corps Academy site which is located on federal property.

EDISON TOWNSHIP

RESOLUTION

WHEREAS, Job Corps Academy, as authorized by the U.S. Secretary of Labor, delegates the power of concurrent jurisdiction to the State pertaining with respect to criminal law enforcement, provided that the Job Corps Academy is operated on federal property; and

WHEREAS, the Township of Edison and Job Corps. Academy have had an agreement in place since 1996, and most recently updated in 2008, which authorized the Township Police to enforce the laws on Job Corps. Academy property; and

WHEREAS, the parties wish to renew their agreement and execute the attached Concurrent Jurisdiction Agreement; and

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

1. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the Concurrent Jurisdiction Agreement attached hereto and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Concurrent Jurisdiction Agreement.
2. The Township Clerk is also directed to forward a certified copy of this Resolution, once adopted, to the Township Attorney.

**RESOLUTION AWARDING CONTRACT TO IBM CORPORATION FOR THE FURNISHING
OF A SOFTWARE PROGRAM FOR THE DIVISION OF POLICE**

WHEREAS, there is a need to purchase Websphere, a software program which allows the Division of Police to access the NJ State Police database via a third party software; and

WHEREAS, IBM CORPORATION, 1551 South Washington Avenue, Piscataway, NJ 08854, has been awarded State Contract Number 70265 under M-0483/WSCA Computer Contract; and

WHEREAS, funds in the amount of \$6,035.00 have been certified to be available in the Acq.-Various Communications Equipment Account, Number C-04-01-1242-374-001; 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.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$6,035.00 and any other necessary documents, IBM CORPORATION, 1551 South Washington Avenue, Piscataway, NJ 08854 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. 70265 under M-0483.