

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, August 27, 2014
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 14, 2013, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **COUNCIL APPOINTMENT :**
 - a. Presentation from Girl Scout Troop on their Environmental Silver Award.
5. **RESOLUTIONS OF RECOGNITION:**
 - a. R.358-082014 – Resolution of Recognition to Jeffrey Xie
 - b. R.359-082014 - Resolution of Recognition to Dhananjay Kaul
6. **APPROVAL OF MINUTES:**
 - a. Combined Meeting of May 28, 2014
 - b. Regular Meeting of June 11, 2014
 - c. Worksession Meeting of June 23, 2014
7. **2014 CALENDAR YEAR MUNICIPAL BUDGET:**
 - a. Public Hearing on Amendment
 - b. Final Adoption of Budget
8. **COUNCIL PRESIDENT'S REMARKS:**
9. **APPROVAL OF VOLUNTEER FIREFIGHTERS:**
 - Oak Tree Volunteer Fire Company**
Raphael Doherty

 - Raritan Engine Company # 1**
Ray J. VanWinkle
10. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**
 - O.1870-2014 ORDINANCE AMENDING CHAPTER 39 LAND USE,
SECTION 37-25 OF CHAPTER XXXVII ZONING, AMBOY
AVENUE REVITALIZATION ZONE.

 - O.1871-2014 AN ORDINANCE CREATING THE NEW FLEXIBLE
BUSINESS ZONE.

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

11. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
SEPTEMBER 10, 2014.**

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

O.1879-2014 AN ORDINANCE AMENDING CHAPTER XV OF THE TOWNSHIP CODE TO DISPENSE WITH MULTIPLE NOTICE REQUIREMENTS FOR REPEAT NUISANCE VIOLATION OFFENDERS, RESPECTING MUNICIPAL ABATEMENT OF UNKEMPT VEGETATION AND DEBRIS.

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

13. **PROPOSED RESOLUTIONS**

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

Consent Agenda

R.360-082014 Resolution approving disbursements for the period ending August 21, 2014.

R.361-082014 Resolution authorizing refund in the amount of \$424,473.87 for redemption of tax sale certificates.

R.362-082014 Resolution authorizing refund for tax overpayments totaling \$21,411.20.

R.363-082014 Resolution authorizing a reimbursement to Central Jersey Joint Insurance Fund for overpayment of workers compensation benefits in the amount of \$1,272.80.

R.364-082014 Awarding of Contract for Public Bid No. 14-07-03 Skateboard/Bicycle Park Installation services to American Ramp Company in the amount of \$47,896.56.

R.365-082014 Awarding of Contract for Public Bid No.14-02-14R for Photography and Audio/Video Equipment installation and repairs to AVS Installations in an amount not to exceed \$15,000.00.

R.366-082014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal to Valentino & Fatima Chua in the amount of \$2,276-.25.

R.367-082014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal to Sunil Palwayi in the amount of \$974.23.

R.368-082014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal to Razia Awan in the amount of \$4,581.76.

R.369-082014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal to Shih Yu Wang & Chien Wen Yin in the amount of \$2,376.25.

R.370-082014 Temporary Budget Appropriations.

R.371-082014 Resolution requesting permission for the Dedication by Rider for Edison Reserve for Self Insurance Trust Account.

R.372-082014 Resolution authorizing reimbursement for Rental Reoccupancy Inspection Fees to Audrey Jiofack in the amount of \$75.00.

R.373-082014 Resolution authorizing reimbursement for Rental Reoccupancy Inspection Fees to Chingwen Hsu in the amount of \$75.00.

R.374-082014 Resolution authorizing reimbursement for Rental Reoccupancy Inspection Fees to Preetham Shetty in the amount of \$50.00.

R.375-082014 Resolution authorizing reimbursement for Rental Reoccupancy Inspection Fees to Su Jen Liu in the amount of \$50.00.

- R.376-082014 Resolution authorizing reimbursement for Rental Reoccupancy Inspection Fees to Douglas Candella in the amount of \$50.00.
- R.377-082014 Resolution authorizing reimbursement for duplicate food license fees to Todco, LLC in the of \$75.00.
- R.378-082014 Resolution authorizing reimbursement for duplicate food license fees to Sarabjit Saini in the amount of \$175.00.
- R.379-082014 Resolution authorizing reimbursement for duplicate food license fees to Natalie Vasquez in the amount of \$350.00.
- R.380-082014 Resolution authorizing reimbursement for duplicate food license fees to Dan Barr in the amount of \$175.00.
- R.381-082014 Resolution authorizing reimbursement for duplicate food license fees to Ki Chung in the amount of \$600.00.
- R.382-082014 Resolution authorizing reimbursement for overpayment of Dog License Fees to Karen Karmazsin in the amount of \$16.20.
- R.383-082014 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 to close-out the balance of the FY2013 HUD HOPWA grant in the amount of \$238,899.60.
- R.384-082014 Resolution allows the Township to enter into a Memorandum of Understanding with the Ocean County Board of Social Services as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases to close-out the balance of the FY2013 HUD HOPWA grant in the amount of \$160,222.32.
- R.385-082014 Resolution allows the Township to enter into a Memorandum of Understanding with the Monmouth County Department of Human Services as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases to close-out the balance of the FY2013 HUD HOPWA grant in the amount of \$157,174.64.
- R.386-082014 Resolution amends Resolution R.110-032014 and approves to receipt of additional funding from the FY2014 Community Block Grant in the amount of \$32,539 for a total grant of \$560,828 and approves the attached amended projects and activities funded by this grant.
- R.387-082017 Resolution refunding Developer Escrow Fees to Colavita Real Estate LLC in the amount of \$450.00.
- R.388-082014 Resolution refunding Senior Residents construction permit fee to David Farhi in the amount of \$415.00.
- R.389-082014 Resolution refunding Senior Residents construction permit fees to Meyer & Depew in the amount of \$615.00.
- R.390-082014 Resolution refunding Senior Residents construction permit fee to Anil Oza in the amount of \$150.00.
- R.391-082014 Resolution refunding Tree Maintenance Bond to Tingley Woods, II, LLC in the amount of \$9,045.00.
- R.392-082014 Resolution refunding the inspection portion of a construction permit fee where services were not performed Gold Medal Service in the amount of \$556.00.
- R.393-082014 Resolution awarding an Emergency Contract/Purchase Order for Frost Avenue East CMP Storm Sewer System to Arold Construction Company in the amount of \$297,825.00.
- R.394-082014 Resolution releasing Cash Performance Bond to Panera, LLC in the amount of \$11,643.00.
- R.395-082014 Resolution releasing Cash Performance Bond to Edison Route 27 Associates for the Pet Smart in the amount of \$17,607.12.
- R.396-082014 Resolution refunding partial Inspection fees to Panera, LLC in the amount of \$2,228.28.
- R.397-082014 Resolution refunding partial Inspection fees to Edison Route 27 Assoc., LLC in the amount of \$130,163.77.
- R.398-082014 Resolution authorizing additional fund for Elevator Maintenance and Repair to Federal Elevator Inc. in an amount not to exceed \$17,292.39.
- R.399-082014 Awarding of Contract for Public Bid No. 14-07-07 for (2) Two V-Box Spreaders to Trius, Inc. in the amount not to exceed \$28,518.00.

- R.400-082014 Awarding of Contract for Public Bid No. 14-10-03 for Generator Maintenance to GMH Associates of America, Inc. in an amount not to exceed \$25,000.00.
- R.401-082014 Resolution authorizing a reimbursement for the Teen Center Program to Sunil Robert in the amount of \$15.00.
- R.402-082014 Resolution authorizing a reimbursement for the Summer Playground Program to Papia Majumdar in the amount of \$30.00.
- R.403-082014 Resolution authorizing a reimbursement to Malini Sanyal for the ABC Program in the amount of \$255.00.
- R.404-082014 Resolution accepting Drive Sober or Get Pulled Over 2014 Labor Day Crackdown Grant Approval.
- R.405-082014 Resolution authorizing the purchase of Police Vehicles through Cranford Police Cooperative Pricing System in the amount of \$194,515.00.
- R.406-082014 Resolution rejecting Bid for remanufactured Automatic Police Transmissions from Public Bid Nu. 14-03-07.
- R.407-082014 Resolution authorizing the refunding of a limousine licensing fee due to over collection in the amount of \$1,280.00 to Wilner Livery Services, Inc.
- R.408-082014 Resolution authorizing the refunding of a public entertainment permit fee due to the event being cancelled to the Pakistani American Council USA, Inc. in the amount of \$1,000.00.
- R.409-082014 Awarding of Contract for Public Bid No.14-02-14R for Photography and Audio/Video Equipment installation and repairs to Avectus, LLC in an amount not to exceed \$15,000.00.
- R.410-082014 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal to Jagdish Brahmhatt in the amount of \$826.25.
- R.411-082014 Resolution Refunding Cash Performance and Performance Bond to Fujui Photo Film USA – Parking lot Expansion in the amount of \$6,282.24.
- R.412-082014 Resolution Refunding Inspection Fees to Fuji Photo Film USA in the amount of \$504.74.
- R.413-082014 Resolution authorizes the Settlement of Tax Appeals filed by The Estate of Albert and Marie Morante for tax year 2012.
- R.414-082014 Resolution authorizes the Settlement of Tax Appeals filed by Albert Morante for tax year 2011.
- R.415-082014 Resolution authorizes the Settlement of Tax Appeals filed by Albert Morante for tax year 2010.
- R.416-082014 Resolution authorizes the Settlement of Tax Appeals filed by Samuel Fromkin for tax years 201, 2012 and 2013.
- R.417-082014 Resolution authorizes the Settlement of Tax Appeals filed by by Everest, LLC for tax years 2011, 2012 and 2013.
- R.418-082014 Resolution authorizes the Settlement of Tax Appeals filed by Clara Barton LLC for tax years 2010,2011,2012 and 2013.
- R.419-082014 Resolution authorizes the Settlement of Tax Appeals filed by Spirn, Inverno, Lind & Medina for year 2012.
- R.420-082014 Resolution authorizes the Settlement of Tax Appeals filed by Edison Land Investment, LLC for tax year 2012.
- R.421-082014 Resolution authorizes the Settlement of Tax Appeals filed by Asaf and Penina Shmuel for tax years 2012 and 2013.
- R.422-082011 Resolution authorizes the Settlement of Tax Appeals filed by Michael S. Klerer & Sari Kaplan Klerer for tax years 2012 and 2013.
- R.423-082014 Resolution authorizes the Settlement of Tax Appeals filed by Steven and Alisa Hercmasn for tax years 2012 and 2013.
- R.424-082014 Resolution authorizes the Settlement of Tax Appeals filed by New Landthorp Enterprises, LL for tax years 2010,2011 and 2012.
- R.425-082014 Resolution authorizes the Settlement of Tax Appeals filed by R and D Realities, LLC for tax year 2012.
- R.426-082014 Resolution authorizes the Settlement of Tax Appeals filed by Phoenix 240 Carter Associates, LLC for tax year 2012.
- R.427-082014 Resolution authorizes the Settlement of Tax Appeals filed by Louis R. Trenta for tax years 2012 and 2013.
- R.428-082014 Resolution authorizes the Settlement of Tax Appeals filed by BCE Associates, LP c/o Denholtz for tax year 2010.

- R.429-082014 Resolution authorizes the Settlement of Tax Appeals filed by C C & S Realty for tax years 2010, 2011, 2012 and 2013.
- R.430-082014 Resolution authorizes the Settlement of Tax Appeals filed by Prologis for tax year 2012.
- R.431-082014 Resolution authorizes the Settlement of Tax Appeals filed by AMB Prologis Targeted U.S. Logistics fund L.P. for tax year 2012.
- R.432-082014 Resolution authorizes the Settlement of Tax Appeals filed by Prologis Trust by Prologis a Maryland Real Estate Investment trust, owner for tax years 2012.
- R.433-082014 Resolution authorizes the Settlement of Tax Appeals filed by Prologis, a Maryland Real Estate Investment Trust, Owner for 11 Kilmer Ct. tax year 2012.
- R.434-082014 Resolution authorizes the Settlement of Tax Appeals filed by Prologis One Nixon Lane, LLC for tax year 2012.
- R.435-082014 Resolution authorizes the Settlement of Tax Appeals filed by 37 Meridan Holding for tax years 2010,2012 and 2013.
- R.436-082014 Reselution authorizes the Settlement of Tax Appeals filed by Michael S. Klerer & Sari Kaplan Klerer for tax year 2014.
- R.437-082014 Resolution authorizes the Settlement of Tax Appeals filed by Albert Morante for tax year 2011 for 191 Vineyard Road.
- R.438-082014 Resolution authorizes the Settlement of Tax Appeals filed by Asaf Penina Shmuel for tax years 2012 and 2013.
- R.439-082014 Resolution authorizes the Settlement of Tax Appeals filed by Rite Aid #4821-2 for tax years 2010,2011,2012 and 2013.
- R.440-082014 Resolution authorizes the Settlement of Tax Appeals filed by Rutgers, The State University for tax year 2012.
- R.441-082014 Resolution authorizes the Settlement of Tax Appeals filed by Sam's East, Inc. #18-6369 for tax years 2012 and 2013.
- R.442-082014 Resolution authorizes the Settlement of Tax Appeals filed by Morris Gourment Associates, LLC for tax years 2010, 2012 and 2013.
- R.443-082014 Resolution authorizes the Settlement of Tax Appeals filed by Federal Corporate Services, II, Inc. for tax years 2012 and 2013.
- R.444-082014 Resolution authorizes the Settlement of Tax Appeals filed by 375/425 RCP Assoc., LP for tax years 2012 and 2013.
- R.445-082014 Resolution authorizes the Settlement of Tax Appeals filed by Northfield NEM Assoc. LP for tax years 2012 and 2013.
- R.446-082014 Resolution authorizes the Settlement of Tax Appeals filed by New Carsun Hills, LP for tax years 2012 and 2013.
- R.447-082014 Resolution authorizes the Settlement of Tax Appeals filed by Fieldcrest JH Assoc. Summit Assoc. for tax years 2012 and 2013.
- R.448-082014 Resolution authorizes the Settlement of Tax Appeals filed by 375/425 RCP Assoc. LP c/o Summit (Blk 395-Lot 6) for tax years 2012 and 2013.
- R.449-082014 Resolution authorizes the Settlement of Tax Appeals filed by Plafsky, Wilf & Kushner c/o Jos. L. Muscarelle, Inc. for tax year 2012.
- R.450-082014 Resolution authorizes the Settlement of Tax Appeals filed by Northfield NEM Association, LP for tax years 2010,2011,2012 and 2013.
- R.451-082014 Resolution authorizes the Settlement of Tax Appeals filed by Kushner, JJ Wilf c/o Jos. L. Muscarelle, Inc. for tax years 2009,2010,2011 and 2012.
- R.452-082014 Resolution authorizes the Settlement of Tax Appeals filed by Metroplex Associates, LLC for tax years 2011, 2012 and 2013.
- R.453-082014 Resolution authorizes the Settlement of Tax Appeals filed by Plainfield Avenue Office Plaza Associates, Inc. for tax years 202 and 2013.
- R.454-082014 Resolution authorizes the Settlement of Tax Appeals filed by Sugarbush Associates, LLC for tax years 2011 and 2012.
- R.455-082014 Resolution authorizes the Settlement of Tax Appeals filed by Millman Realty Enterprises for tax years 2012 and 2013.
- R.456-082014 Resolution authorizes the Settlement of Tax Appeals filed by New Jersey Carpenters Fund for tax years 2012.
- R.457-082014 Resolution authorizes the Settlement of Tax Appeals filed by Bonhamtown Place, LLC for tax years 2010,2011,2012 and 2013.
- R.458-082014 Resolution authorizes the Settlement of Tax Appeals filed by Hotel Route 27, LLC for tax years 2012 and 2013.

- R.459-082014 Resolution authorizes the Settlement of Tax Appeals filed by 400 Raritan Center Investors for tax years 2011, 2012 and 2013.
- R.460-082014 Resolution authorizes the Settlement of Tax Appeals filed by IC/L-A One Truman Drive LLC for tax years 2012.
- R.461-082014 Resolution authorizes the Settlement of Tax Appeals filed by 300 Columbus Circle Investor for tax years 2011, 2012 and 2013.
- R.462-082014 Resolution authorizes the Settlement of Tax Appeals filed by Silgan Containers Mfg. Corp. for tax years 2010,2011,2012 and 2013.
- R.463-082014 Resolution authorizes the Settlement of Tax Appeals filed by Parkwood Garden Assoc./Parkwood Gardens, Inc. for tax years 2010,2011,2012 and 2013.
- R.464-082014 Resolution authorizes the Settlement of Tax Appeals filed by 110 Talmadge Road, LLC for tax years 2010, 2011, 2012 and 2013.
- R.465-082014 Resolution authorizes the Settlement of Tax Appeals filed by 136 Talmadge Road, LLC for tax years 2010, 2011, 2012 and 2013.
- R.466-082014 Resolution authorizes the Settlement of Tax Appeals filed by 946 Amboy Avenue LLC for tax years 2011, 2012 and 2013.
- R.467-082014 Resolution authorizes the Settlement of Tax Appeals filed by Wick Shopping Plaza Associates, LLC for tax years 2010, 2011, 2012 and 2013.
- R.468-082014 Resolution authorizes the Settlement of Tax Appeals filed by 95 Ethel LLC for tax years 2010, 2011, and 2012.
- R.469-082014 Resolution authorizes the Settlement of Tax Appeals filed by 138 Talmadge Road LLC for tax years 2010,2011,2012 and 2013.
- R.470-082014 Resolution authorizes the Settlement of Tax Appeals filed by Edison Ctr. Associates for tax years 2010, 2011,2012 and 2013.
- R.471-082014 Resolution authorizes the Settlement of Tax Appeals filed by Cittone, c/o Lincoln Tech Institute for tax years 2010, 2011, 2012 and 2013.
- R.472-082014 Resolution authorizes the Settlement of Tax Appeals filed by BRE/ESA Portfolio, LLC for tax year 2012.
- R.473-082014 Resolution authorizes the Settlement of Tax Appeals filed by 160 Raritan Center Parkway, LLC for tax years 2010, 2011, 2012 and 2013.
- R.474-082014 Resolution authorizes the Settlement of Tax Appeals filed by 510 Venture LLC Bergman Realty Corp. for tax years 2010,2011,2012 and 2013.
- R.475-082014 Resolution authorizes the Settlement of Tax Appeals filed by Edison 1 North 35C, LLC and Edison 1 North 35Cllc by Stop & Shop Supermarket Co. for tax years 2009,2011,2013 and 2013.
- R.476-082014 Resolution authorizes the Settlement of Tax Appeals filed by Freeman Service Company for tax year 2010.
- R.477-082014 Resolution authorizes the Settlement of Tax Appeals filed by CJ Mack Sales co Walgreens for tax years 2010, 2011, 2012 and 2013.
- R.478-082014 Resolution authorizes the Settlement of Tax Appeals filed by J & M Futon Covers Corp. for tax years 2010, 2011, 2012 and 2013.
- R.479-082014 Resolution authorizes the Settlement of Tax Appeals filed by Archland Prop, I, LLC; Archland Prop I LLC c/o Damiano and Archland Prop I LLC c/o Damiano Mgt. for tax years 2010, 2011, 2012 and 2013.
- R.480-082014 Resolution authorizes the Settlement of Tax Appeals filed by CVS Pharmacies for tax years 2012 and 2013.
- R.481-082014 Resolution authorizes the Settlement of Tax Appeals filed by Aarti, Inc. c/o Lees Motel for tax year 2013.
- R.482-082014 Resolution authorizes the Settlement of Tax Appeals filed by Hidden Ridge, LLC for tax years 2011, 2012, and 2013.
- R.483-082014 Resolution authorizes the Settlement of Tax Appeals filed by Oakwood Plaza Associates for tax year 2012.
- R.484-082014 Resolution authorizes the Settlement of Tax Appeals filed by Valley National Bank for tax years 2011, 2012, and 2013.

14. **COMMUNICATIONS:**

- a. Letter and Petition received from Irene Wall regarding Residential Parking only.
- b. Letter received from Walter Stochel of Edison Open Space Advisory Committee regarding the open space tax.
- c. Letter received from Walter Stochel of Edison Open Space Advisory Committee regarding Oak Ridge Park on Featherbed Lane.
- d. Electronic Letter received from Dan Kovach regarding Crosswalk at Rt. 27 and Talmadge Road.
- e. Letter received from Larry Deutchman regarding closing time of businesses on Amboy Ave.

15. **ORAL PETITIONS AND REMARKS**

16. **ADJOURNMENT**

**EDISON TOWNSHIP
ORDINANCE O.1870-2014**

BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, and State of New Jersey the Chapter 39 entitled "Land Use" is hereby amended as follows:

SECTION I. Section 37-25 of Chapter XXXVII Zoning is hereby amended as follows:

37-25 AAR AMBOY AVENUE REVITALIZATION ZONE.

37-25.1 General Purpose.

Due to the proposed revitalization by the Township of Edison of Amboy Avenue between the limits of the New Jersey Turnpike and US Highway Route 1, zoning requirements shall be incorporated in the AAR, Amboy Avenue Revitalization Zone as herein set forth to promote and encourage said revitalization. The purpose of the revitalization is to instill economic development for the limits set forth herein and inject into the commercial properties opportunities for growth and prosperity in conjunction with the aesthetic improvements that will ensue. The zoning ordinance shall be amended to also promote and encourage pedestrian traffic so as to conversely reduce the use of single occupancy vehicles in the subject area. (1999 Code § 17.49.010)

37-25.2 Amboy Avenue Revitalization Zone Physical Limits.

The limits of the Amboy Avenue Revitalization Zone on Amboy Avenue shall include all parcels presently classified as L-B along both sides of Amboy Avenue between the New Jersey Turnpike as its southeasterly terminus and US Highway Route 1 as its northwesterly terminus. The official Edison zoning map shall be amended to reflect the limits of the AAR Zone as herein described. (1999 Code § 17.49.020)

37-25.3 Permitted Uses.

The permitted uses in the AAR Zone shall be as specified in the L-B District with the following additional uses:

- a. Restaurants and eating establishments shall be permitted to provide entertainment in the form of various acts which may include musicians, comedians, magicians, diverse musical groups and other like acts of entertainment.
- b. Other establishments whose primary function is to provide entertainment as specified in paragraph a. above which may incidentally also serve snacks and drinks.
- c. Instructional facilities such as karate schools, dance schools, art schools, acting schools, educational schools, music schools and other such similar uses.

In no fashion shall the form of entertainment violate the requirements of this Code including but not limited to, Chapter 6 (Alcoholic Beverages), Chapter 12 (Health Regulations and Licensing), Chapter 15 (Property Maintenance), Chapter 21 (Solid Waste Management), Chapter 22 (Environmental Regulations), Chapter 10-7 (Indecency and Obscenity) and Chapter 10-5 (Public Peace and Decency).

37-25.4 Residential Uses.

Seventy-five (75%) percent of the gross floor area of any building in the Amboy Avenue Revitalization Zone may be used for residential purposes. One (1) residential unit shall be permitted on the first floor to meet ADA standards. (1999 Code § 17.49.040)

37-25.5 Outdoor Tables and Chairs.

Restaurants and eating establishments in the Amboy Avenue Revitalization Zone are permitted to have outdoor tables and chairs for serving food and beverages to customers provided that a minimum four (4) feet pedestrian pathways are not impeded to insure ADA compliance, that all fire codes are in compliance and that no public right of way is encroached upon. (1999 Code § 17.49.050)

37-25.6 Prohibited Uses.

The uses prohibited in the AAR Zone shall be as specified in the L-B Zone and to also include:

- a. Service or gas stations.
- b. Fast food restaurants.
- c. Massage parlors.
- d. Body piercing and tattoo parlors.
- e. Go-go bars, strip clubs, cabarets and/or any form of adult entertainment activities, adult entertainment materials, sales or rentals.
- f. Cultural centers and churches.
- g. Video arcades.
- h. Automobile repair shops.
- i. Banquet halls or similar uses.

(1999 Code § 17.49.060)

37.25.7 Accessory Uses.
No accessory uses are permitted. (1999 Code § 17.49.070)

37.25.8 Conditional Uses.
No conditional uses are permitted. (1999 Code § 17.49.080)

37-25.9 Height, Area and Yard Requirements.

The height, area and yard requirements as specified in the schedule of Section 37-63, shall be modified in the following manner:

a. The minimum lot area shall be five thousand (5,000) square feet.
b. The minimum lot width shall be fifty (50) feet.
c. The required front yard setback shall be five (5) feet with a tolerance of twenty-five hundredths (0.25) feet. There shall be no deviation from this five (5) foot dimension including the tolerance without an application for a variance to the Zoning Board of Adjustment or Planning Board, whichever has jurisdiction, for relief from this requirement.

d. The required side yard setback shall be zero (0) feet provided that the lot line does not abut a residential district in which case the minimum side yard requirement shall be fifteen (15) feet unless a public street intervenes in which case the front yard requirement of five (5) foot setback shall govern. There shall be no deviation from this zero (0) foot dimension without an application for a variance to the Zoning Board of Adjustment or Planning Board, whichever has jurisdiction, for relief from this requirement. Where due to building orientation, lot configuration or other condition that preclude entry to the rear of a property for parking area access, loading/unloading, refuse collection, public safety vehicle access or any other purpose requiring such entry, a paved alleyway no wider than fifteen (15) feet shall be permitted alongside or within the frontage of the building. In such cases where the building has more than one (1) story, all additional stories shall be constructed pursuant to governing building codes above said alleyway with the aforementioned side yard requirements where applicable.

e. The minimum rear yard setback shall be twenty-five (25) feet for parking.
h. The maximum percent of lot coverage by all buildings shall be seventy (70%) percent.
i. The maximum percent of lot coverage by all buildings and pavement shall be ninety-five (95%) percent.
j. The floor area ratio shall 35%.
k. The building height shall be a maximum of three (3) stories or forty (40) feet in height whichever is the lesser.

l. Regardless of the gross floor area of any building, the maximum gross floor area of each and any separate and individual permitted use within that building shall be no greater than two thousand hundred (2,500) square feet per story.

m. All mechanical equipment must be screened from public view.

n. All buildings must comply with all fire safety and sprinkler laws.
(1999 Code § 17.49.090)

37-25.10 Parking Requirements.

The following parking requirements shall be incorporated into the AAR, Amboy Avenue Revitalization Zone as herein set forth.

a. Parking and loading for the AAR Zone shall comply with the parking standards established in Chapter 37-60 of the Land Use Regulations.

b. Parking for residential uses shall conform to RSIS Standards.

c. Future parking needs, as they become evident, shall be satisfied through the construction of strategic parking lots on properties to be rendered available along or in the vicinity of Amboy Avenue.

d. *Location of Parking Facilities.* All on-site parking facilities shall be located in the rear yard of each property. All parking shall be prohibited in front and side yards.

e. *Contiguous Parking Lots.* Buildings on individual parcels in the AAR Zone are permitted to have contiguous on-site parking areas with free flowing traffic between said parking areas. The areas of on-site parking that are not contiguous shall be no closer than five (5) feet to any property line of the parcel on which they are located. There shall be available as necessary, access to the rear of such properties for accessing parking areas, refuse collection, loading/unloading, entry of public safety vehicles and other necessary functions which require such entry.

f. *Loading/Unloading Requirements.*

1. On street loading/unloading shall be prohibited between the hours of 6:00 a.m. and 12:00 midnight.

2. All loading/unloading shall be permitted in the rear yard area only.

3. Rear yard cross-access easements shall be required as needed in order to eventually create a system of screened and buffered access ways to the rear of non-residential uses fronting Amboy Avenue. A minimum fifteen (15) foot wide cross-access easement shall be dedicated to the municipality in the form of a deed. Additionally, a minimum ten (10) foot wide buffer area shall be required adjacent to all residential uses or residential zones comprised of a five (5) foot to six (6) foot high living evergreen wall and eight (8) foot high solid fencing to provide screening for the abutting incompatible uses. Application for a subdivision or site plan to either the Planning Board or Zoning Board of Adjustment shall mandate the cross-access easement and buffer/screening requirement.

(1999 Code § 17.49.100)

37-25.11 Other Requirements.

Open storage of materials and transition requirements shall be as specified in the L-B Zone, subsection 37-22.6, except that the maximum buffer area distance from a residential district shall be ten (10) feet. (1999 Code § 17.49.110)

37-25.12 Signs.

Signs shall be subject to the sign regulations of Section 37-62. (1999 Code § 17.49.120)

37-25.13 Activities Requiring Special Building Design Standards.

The following activities regarding any of the buildings in the AAR Zone shall render the building(s) subject to the requirements of this section:

- a. The new construction of a primary use building on a parcel of land.
- b. The addition to an existing primary use building that is fifteen (15%) percent or more of the gross floor area of the existing building.
- c. The renovation or alteration in any manner of any outer wall of a building that faces street frontage or is considered the front of the building that constitutes twenty-five (25%) percent or more in area of the wall(s) being renovated.
- d. The renovation or alteration in any manner of any outer wall or combination of outer walls of a building which constitutes forty (40%) percent or more of the aggregate area of all the outer walls of the building.
- e. The major internal renovation or alteration of a building which constitutes fifty (50%) percent or more of the gross floor area.

(1999 Code § 17.49.130)

37-25.14 Facade Design Standards.

Since all of the existing buildings within the limits of the AAR Zone vary considerably in age and architecture in their present state, it is understandable that it is difficult to impose on them a rigid architectural design standard. Although beauty and character are subjective, there shall be an underlying design theme to the buildings and specifically to the facades so that a sense of conformity to a time period is achieved. Variation, creativity, uniqueness and distinction are not discouraged provided that there is a visual flow from building to building with no evidence of abrupt change or disruption in design or theme. Each building, although having its own identity should complement the others in style and taste without the look of an exact copy.

The architectural motif that is to be followed throughout the AAR Zone shall be based on the design of the "Old Clara Barton School Building" which is located on the southerly side of Amboy Avenue between Fourth Street and Brower Avenue. The architectural design can be characterized as "turn of the century". Understandably, exact historic replication is not expected, however this building is considered the focal point of the AAR Zone and all future building façade designs shall have its architectural flavor and sense. (1999 Code § 17.49.140)

37-25.15 Characteristics of Special Building Design Standards.

Although diversity is not prohibited in the building design characteristics, various specific design criteria are to be followed as listed below:

- a. The prominent veneers to be used for facades and sides of buildings facing the street shall be brick or stone. The brick colors shall be in the brown, beige or red tones. Stone coloring shall be more flexible but maintain a subdued color scheme in keeping with the brick tones.
- b. Other veneers such as vinyl, aluminum or other manmade siding products and wood veneer products shall be considered secondary veneers to compliment the brick or stone. The colors of such veneers shall be in subdued tones to blend in a compatible and aesthetic fashion. The use of fluorescent colors is prohibited as are abrupt color changes, even in the subdued tones, that clash visually.
- c. All facades or sides of buildings facing the street shall have a décor that prohibits for a maximum distance of fifteen (15) feet horizontally, bare unadorned walls along each floor. These walls shall have appurtenances either decorative or functional to satisfy the condition. Such appurtenances shall consist of windows,

doors, columns, lintels, cornices, balconies, overhangs, awnings, arches, railings or any other architectural items that fit the herein recommended design theme.

d. Roofs shall be of the "A" frame peak type wherever possible and include turrets, cupolas, towers and gables to reflect the "turn of the century" and "Victorian" attributes. Where it is necessary to install other than a peaked roof due to structural or height restrictions, parapets, cornices, eaves, turrets and other architectural devices that also reflect the above stated attributes shall be utilized.

(1999 Code § 17.49.150)

37-25.16 Sign Standards.

When a building is subject to the requirements of subsection 37-25.14, new signs for the building shall be installed in accordance to specific standards as herein set forth. To maintain the desired degree of conformity with an acceptable level of diversity, all signs shall be installed in accordance with a style that fits the architectural standards recommended for the AAR Zone.

Other than the above standards all other sign regulations shall be pursuant to Section 37-62. (1999 Code § 17.49.160)

37-25.17 Site Standards.

If a building subject to the requirements of subsection 37-25.14, is also installing site appurtenances, they shall be compatible with the streetscape design as installed by the municipality along Amboy Avenue in the AAR Zone. The proposed appurtenances which include but are not limited to landscaping, curbing, sidewalks, tree grates, benches, area lamps, trash receptacles, and planters shall comply with the streetscape specifications of said zone which are available at the Office of the Township Engineer. (1999 Code § 17.49.170)

37-26 - 37-29 RESERVED.

SECTION II. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

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).

EXPLANATION: An Ordinance creating the new Flexible Business Zone.

EDISON TOWNSHIP

ORDINANCE O.1871-2014

WHEREAS, the Municipal Council (“Council”) of the Township of Edison (“Township”) recognizes that it has a responsibility in these difficult economic times to ensure that it does everything possible to retain businesses and attract new ratables to offset losses in revenue; and

WHEREAS, the Council believes it must provide every tool possible to businesses to assist them in maximizing their potential; and

WHEREAS, the Council believes that by providing certain incentives, businesses in the Township will be able to grow, increase opportunities and revenues and create both temporary and permanent jobs; and

WHEREAS, the Council wishes to create a new zoning district and change the zoning regulations for certain properties, as set forth herein, pursuant to the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.* (“MLUL”); and

WHEREAS, the new zoning district shall be titled the Flexible Business Zone (“FBZ”), and Chapter 37 of the Township Code (“Code”) shall be amended to reflect the additions and changes described herein; and

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

BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that:

SECTION I. Section 37-2 of Chapter XXXVII Zoning of the Code is hereby amended as follows:
[Note to Codifier: Insert new FBZ in to the list of Districts.]¹

37-2 DISTRICTS ESTABLISHED; MAP.

37-2.1 Establishment of Districts.

a. Districts. For the purpose of this chapter, the Township is divided into various zoning districts as follows:

<u>FBZ</u>	<u>Flexible Business Zone</u>
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SECTION II. Section 37-35 of Chapter XXXVII Zoning of the Code which is presently "Reserved" is hereby amended as follows:

[Note to Codifier: New Section 37-35 has not been underlined, for the convenience of the reader.]

37-35 Flexible Business Zone

37-35.2 FBZ Flexible Business Zone

A. Permitted Uses. Any property in the FBZ Flexible Business Zone may be developed and used for the permitted uses and in accordance with the development standards in the zoning district in which the property is situated, and, may also be developed and used for the permitted uses and in accordance with the development standards for the following zoning districts:

G-B	General Business District
G-BH	General Business District
L-I	Light Industrial District
O-S	Office-Service District
O-S-1	Office-Service District
O-S-2	Office-Service District
R-I	Restricted Industrial District
R-I-1	Restricted Industrial District
RRRD	Raritan River Revitalization District

B. Accessory Uses. Any property in the Flexible Business Zone may be developed and used for the accessory uses and in accordance with the development standards in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the accessory uses for that zoning district are allowed.

C. Conditional Uses.

¹ Additions are indicated by underline; and, deletions by ~~strikeout~~

1. Any property in the Flexible Business Zone may be developed and used for the conditional uses and in accordance with the development standards in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the conditional uses for that zoning district are allowed.
2. Notwithstanding the foregoing, gasoline stations or automobile service stations shall only be conditional uses and also subject to the following conditions:
 - a. The maximum number of fuel dispensers shall not exceed eight (8).
 - b. Shall contain an accompanying convenience store with a minimum of 5,000 square feet. Stand alone stations shall not be permitted.
 - c. The minimum distance between gasoline stations or automobile service stations on the same side of the road shall be 3,000 feet.

D. Prohibited Uses.

1. The prohibited uses for any property in the Flexible Business Zone shall be those in the zoning district in which the property is situated, or, if the property is developed or used for the accessory uses permitted in the zoning districts listed in 37-35.2 then the prohibited uses for that zoning district shall also be prohibited in the Flexible Business Zone.
2. Notwithstanding the foregoing, residential uses are prohibited in the Flexible Business Zone

SECTION III. The zoning district classifications for the following properties in the Township are changed as follows:

STREET	BLOCK	LOT	CURRENT ZONE	NEW ZONE
Woodbridge Ave.	390	51	RRRD	FBZ
Woodbridge Ave.	390	47-B	RRRD	FBZ
Woodbridge Ave.	390	48-A	RRRD	FBZ
Woodbridge Ave.	390	48-B	RRRD	FBZ
Woodbridge Ave.	390	49-A	RRRD	FBZ
Woodbridge Ave.	390	50-A	LI	FBZ
Woodbridge Ave.	396	5.01	AHOZ-2/GB	FBZ
Woodbridge Ave.	396	10	LI	FBZ
Woodbridge Ave.	390-A	2	RRRD	FBZ
Woodbridge Ave.	390-A	3	RRRD	FBZ
Woodbridge Ave.	390-A	I-A-4	RRRD	FBZ
Woodbridge Ave.	390-F	2	RRRD	FBZ
Woodbridge Ave.	390-F	3	RRRD	FBZ
Woodbridge Ave.	390-F	4	RRRD	FBZ
Woodbridge Ave.	390-N	2	RRRD	FBZ

(Note: Tax maps highlighting the above parcels are attached hereto as Exhibit A.)

SECTION IV. The official Zoning Map of the Township be and is hereby amended to change the zoning district classifications for the aforementioned properties as indicated herein.

SECTION V. Within 30 days of the adoption of this Ordinance the Township Clerk shall provide notice to the County Planning Board of the zoning changes enacted herein, as required by *N.J.S.A. 40:55D-15* of the MLUL, which notice shall state the effective date of this Ordinance and include a copy of this Ordinance.

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

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

ORDINANCE O.1877-2014

EDISON TOWNSHIP

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

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

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

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

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

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter XXX, Section 30-1.2 of the Code to read as follows:

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

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

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

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

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

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

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

ORDINANCE O.1878-2014

EDISON TOWNSHIP

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

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

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

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

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

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter XXV, Section 25-9.1(d) of the Code to read as follows:

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

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

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter XXV of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances respecting

tree replacement heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

Explanation: An Ordinance amending Chapter XV of the Township Code to dispense with multiple notice requirements for repeat nuisance violation offenders, respecting municipal abatement of unkempt vegetation and debris.

ORDINANCE O.1879-2014

EDISON TOWNSHIP

WHEREAS, the Township of Edison (“Township”) has adopted and codified a ‘Property Maintenance Code’ within its General Ordinance Code (“Code”) requiring the upholding of certain standards with respect to the maintenance and appearance of real property; and

WHEREAS, Chapter XV, Section 15-2.3 of the Code provides that the Township Division of Health will provide notice to owners and tenants of real property upon which any brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris has been observed; and

WHEREAS, *N.J.S.A.* 40:48-2.14 authorizes a municipality to abate the presence of disorderly vegetation and related debris on land within its bounds and charge the cost to remove same to the owner of such land, in the form of a municipal lien; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to amend the Code to provide that multiple notices will not be served upon repeat offenders of Section 15-2 *et seq.* of the Code prior to the Township’s abatement of observed nuisance violations; and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter XV, Section 15-2.3 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“Notice to the owner or tenant to cause the removal of the substances referred to in the preceding regulation shall be given by the Division of Health and may be served upon any such owner or tenant either personally or by certified mail, and, if the latter method, the ten-day period within which such removal shall be accomplished shall be deemed to have commenced to run from the date of the return receipt of such certified mail obtained by the postal authority for the delivery of such certified notice. Every such notice shall, in addition to requiring the removal aforesaid, warn the owner or tenant of the lands to which such notice refers that failure to accomplish such removal within the time stated therein will result in removal by or under the direction of the Division of Health and the cost of such removal shall be charged to the owner or tenant of such lands and shall be payable to the Township within thirty (30) days after the date of submission of the charges. Unless such charges are paid within the 30-day period, the costs aforesaid shall become a lien upon the lands and be collected as provided by *N.J.S.A.* 40:48-2.14.

In the case of repeat violations, the Division of Health may take action to abate subsequent violations without providing additional notice, upon confirmation of continued ownership or occupancy by the initial individual(s) served.”

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter XV, Section 15-2.3 of the Code to read as follows:

“Notice to the owner or tenant to cause the removal of the substances referred to in the preceding regulation shall be given by the Division of Health and may be served upon any such owner or tenant either personally or by certified mail, and, if the latter method, the ten-day period within which such removal shall be accomplished shall be deemed to have commenced to run from the date of the return receipt of such certified mail obtained by the postal authority for the delivery of such certified notice. Every such notice shall, in addition to requiring the removal aforesaid, warn the owner or tenant of the lands to which such notice refers that failure to accomplish such removal within the time stated therein will result in removal by or under the direction of the Division of Health and the cost of such removal shall be charged to the owner or tenant of such lands and shall be payable to the Township within thirty (30) days after the date of submission of the charges. Unless such charges are paid within the 30-day period, the costs aforesaid shall become a lien upon the lands and be collected as provided by *N.J.S.A.* 40:48-2.14.

In the case of repeat violations, the Division of Health may take action to abate subsequent violations without providing additional notice, upon confirmation of continued ownership or occupancy by the initial individual(s) served.”

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter XV of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the notice provisions under Section 15-2.3 of the Code heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

RESOLUTION R.360-082014

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING August 21, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through August 21, 2014.

FUND	AMOUNT
Current	\$47,133,366.97
Affordable Housing	71,534.81
Capital	2,801,347.36
Cash Performance	17,776.37
CDBG	256,514.34
Developers Escrow	44,044.28
Dog (Animal Control)	22,163.07
Federal Forfeited	11,248.60
Grant Funds	7,851.91
Law Enforcement	0.00
Open Space	669,037.29
Payroll Deduction	902,550.49
Sanitation Fund	1,303,844.41
Sewer Utility	216,220.67
Tax Sale Redemption	377,569.23
Water Operation Fund	90,795.95
Tree Planting	21,861.33
Trust	68,790.15
TOTAL	\$54,016,517.23

/s/ Agnes Yang
Acting Chief Financial Officer

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

RESOLUTION R.361-082014

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 \$424,473.87.

August 27, 2014

RESOLUTION R.362-082014

Whereas, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

Whereas, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$21,411.20 and

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

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

August 27, 2014

R.363-082014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO CENTRAL JERSEY JOINT INSURANCE FUND (CJJIF) FOR OVERPAYMENT OF WORKERS COMPENSATION BENEFITS

WHEREAS, Central Jersey Joint Insurance Fund, made an overpayment for Workers Compensation Benefits for Robert Sawicki to the Township of Edison for the amount of \$1,272.80;
and

WHEREAS, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Central Jersey Joint Insurance Fund for overpayment of \$1,272.80.

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 \$1,272.80 to Central Jersey Joint Insurance Fund of P.O. Box 1209 Piscataway, NJ 08855, which amount represents the amount of overpayment for Workers Compensation Benefits.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$1,272.80** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang, Acting Chief Financial Officer

Date

R.364-082014

**RESOLUTION AWARDING CONTRACT TO AMERICAN RAMP COMPANY FOR THE
SKATEBOARD/BICYCLE PARK INSTALLATION SERVICES FOR EDISON TOWNSHIP
SKATEBOARD PARK**

WHEREAS, bids were received by the Township of Edison on July 30, 2014 for Public Bid No. 14-07-03-Skateboard/Bicycle Park Installation Services for the Township of Edison; and

WHEREAS, AMERICAN RAMP COMPANY, 601 McKinley Avenue, Joplin, MO 64801 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$47,896.56; and

WHEREAS, funds in the amount of \$47,896.56 have been certified to be available in the Various Improvements – Municipal Parks Account, Number C-04-12-1817-370-003; and

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

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

1. All bids have been reviewed, and the bid submitted by AMERICAN RAMP COMPANY, 601 McKinley Avenue, Joplin, MO 64801 for Skateboard/Bicycle Park Installation Services for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$47,896.56, and any other necessary documents, with AMERICAN RAMP COMPANY as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$47,896.56** are available for the above in Account No. **C-04-12-1817-370-003**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO AVS INSTALLATIONS FOR PHOTOGRAPHY AND AUDIO/VIDEO EQUIPMENT INSTALLATION AND REPAIRS

WHEREAS, bids were received by the Township of Edison on July 9, 2014 for Public Bid No.14-02-14R, Photography and Audio/Video Equipment Installation and Repairs for the Township of Edison; and

WHEREAS, AVS INSTALLATIONS, 400 Raritan Center Pkwy., Edison, NJ 08837, submitted the lowest legally responsible, responsive bid for various items/sections of the bid as listed on the spreadsheet; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by AVS INSTALLATIONS, 400 Raritan Center Pkwy., Edison, NJ 08837 for Photography and Audio/Video Equipment Installation and Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items/sections of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00 and any other necessary documents, with AVS INSTALLATIONS as described herein.

RESOLUTION R.366-082014

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, the Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	CHUA, VALENTINO L & FATIMA
PROPERTY LOCATION	5 FOLEY AVE
BLOCK / LOT / QUALIFIER	495/80

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
014375-2012	2012	\$422,600
Freeze Act	2013	\$422,600

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$2,276.25** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	\$1,132.25
2013	\$1,144.00

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$2,276.25**.

August 27, 2014

RESOLUTION R.367-082014

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, the Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	PALWAYI, SUNIL
PROPERTY LOCATION	7 SCHANCK DRIVE
BLOCK / LOT / QUALIFIER	593/65.04

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
015671-2012	2012	\$387,300
Freeze Act	2013	\$387,300

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$974.23** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	\$484.60
2013	\$489.63

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$974.23**.

August 27, 2014

RESOLUTION R.368-082014

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, the Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	AWAN, RAZIA S
PROPERTY LOCATION	19 DEBORAH DR
BLOCK / LOT / QUALIFIER	546.S/9

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
014639-2011	2011	\$241,300
Freeze Act	2012	\$241,300
Freeze Act	2013	\$241,300

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$4,581.76** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	\$1,511.64
2012	\$1,527.47
2013	\$1,542.65

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$4,581.76**.

August 27, 2014

RESOLUTION R.369-082014

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, the Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	WANG, SHIH YU & YIN, CHIEN WEN
PROPERTY LOCATION	130 EDISON AVE
BLOCK / LOT / QUALIFIER	626/91

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
015464-2012	2012	\$341,300
Freeze Act	2013	\$341,300

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$2,376.25** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	\$1,182.25
2013	\$1,194.00

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$2,376.25**.

August 27, 2014

RESOLUTION
Authorizing Overpayment Refund caused by
Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	BRAHMBHATT, JAGDISH ETAL
PROPERTY LOCATION	88 SCOTLAND AVE
BLOCK / LOT / QUALIFIER	357 / 36.A

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
015300-2013	2013	\$155,300

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$826.25** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	\$826.25

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the proper Township Officials are hereby authorized issue checks consistent with the amount refunded for the foregoing assessment reduction and process credits against open tax balances.

August 27, 2014

RESOLUTION R.370-082014

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

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

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

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

	<u>2014</u>
CURRENT FUND	
LEGAL DEPARTMENT	
SALARIES & WAGES	1,200.00
OTHER EXPENSES	0.00
TAX COLLECTOR	
SALARIES & WAGES	2,000.00
OTHER EXPENSES	0.00
TAX ASSESSOR	
SALARIES & WAGES	0.00
OTHER EXPENSES	10,000.00
RECREATION	
SALARIES & WAGES	16,000.00
OTHER EXPENSES	0.00
HEALTH	
SALARIES & WAGES	4,000.00
OTHER EXPENSES	0.00
DISPATCH 911	
SALARIES & WAGES	15,000.00
OTHER EXPENSES	0.00
POLICE VEHICLE MAINTENANCE	
SALARIES & WAGES	4,000.00
OTHER EXPENSES	0.00
FIRE FIGHTING	
SALARIES & WAGES	0.00
OTHER EXPENSES	18,000.00
PARKS & TREES	
SALARIES & WAGES	14,000.00
OTHER EXPENSES	0.00
STREETS & ROADS	
SALARIES & WAGES	4,000.00
OTHER EXPENSES	15,000.00
BUILDINGS & GROUNDS	
SALARIES & WAGES	6,000.00
OTHER EXPENSES	0.00
SOLID WASTE RECYCLING	
SALARIES & WAGES	2,000.00
OTHER EXPENSES	0.00
CONSTRUCTION ENFORCING AGENCY	
SALARIES & WAGES	5,000.00
OTHER EXPENSES	0.00
TOTAL CURRENT FUND	<u>116,200.00</u>

RESOLUTION R. 371-082014

DEDICATION BY RIDER

TOWNSHIP OF EDISON OF MIDDLESEX COUNTY

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR EDISON RESERVE FOR SELF INSURANCE TRUST ACCOUNT

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, Township of Edison provides for receipt of by the Municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the **Edison Reserve for Self Insurance Trust Account** are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the **Edison Reserve for Self Insurance Trust Account** per N.J.S.A. 40A:5-29 Dedication by Rider
2. The Clerk of the Township of Edison , County of Middlesex is hereby directed to forward two certified copies of the resolution to the Director of the Division of Local Government Services.

RESOLUTION R. 372-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO AUDREY JIOFACK FOR RENTAL
REOCCUPANCY INSPECTION FEES**

WHEREAS , Audrey Jiofack made payment in the amount of \$75.00 for a rental reoccupancy inspection of Apt 4B, 27 Koster Blvd, Edison however prior to the scheduled inspection decided against taking the apartment, therefore no inspection was required;

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 Audrey Jiofack, 528 2nd Ave., 2nd Floor, Elizabeth, NJ 07202.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$75.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.373-082014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO CHINGWEN HSU FOR OVERPAYMENT OF RENTAL REOCCUPANCY INSPECTION FEES

WHEREAS , Chingwen Hsu made an two (2) online payments in the amount of \$75.00 on 6/26/14 for a total of \$150.00 for rental reoccupancy inspection of 5 Gentore Ct. and;

WHEREAS, the total fee required for the required rental reoccupancy inspection is \$75.00;

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 \$75.00 to Chingwen Hsu, 247 Bridge St, Metuchen, NJ 08840

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$75.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.374-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO PREETHAM SHETTY FOR
OVERPAYMENT OF RENTAL REOCCUPANCY INSPECTION FEES**

WHEREAS , Preetham Shetty made an online payment in the amount of \$50.00 on 4/23/14 and \$75.00 by check on 4/30/14 for a total of \$125.00 for rental reoccupancy inspection of 201 Woodhaven Drive and;

WHEREAS, the total fee required for the required rental reoccupancy inspection is \$75.00;

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 \$50.00 to Preetham Shetty, 69 Amherst Way, West Windsor, NJ 08550

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$50.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.375-082014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO SU JEN LIU FOR OVERPAYMENT OF RENTAL REOCCUPANCY INSPECTION FEES

WHEREAS , Su Jen Liu made an online payment in the amount of \$50.00 on 5/16/14, a \$25.00 payment by check on 5/19/14 along with another \$50.00 on line payment on 5/19/14 for a total of \$125.00 for rental reoccupancy inspection of 1001 Maplecrest Road and;

WHEREAS, the total fee required for the required rental reoccupancy inspection is \$75.00;

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 \$50.00 to Su Jen Liu, 1815 Oak Tree Road, Edison, NJ 08820

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$50.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.376-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO DOUGLAS CANDELLA FOR
OVERPAYMENT OF RENTAL REOCCUPANCY INSPECTION FEES**

WHEREAS, Douglas Candella, DBA Candeland, made an online payment in the amount of \$50.00 on 5/18/14 and \$75.00 by check on 5/23/14 for a total of \$125.00 for rental reoccupancy inspection of Apt 3A, Candeland Apartments, Amboy Avenue and;

WHEREAS, the total fee required for the required rental reoccupancy inspection is \$75.00;

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 \$50.00 to Douglas Candella, P.O. Box 70201, Staten Island, NY 10307.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$50.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.377-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO TODDCO, LLC FOR DUPLICATE
PAYMENT OF TEMPORARY RETAIL FOOD LICENSE FEES**

WHEREAS, Toddco, LLC, DBA Todd's Dirt Seasonings, made payment in the amount of \$75.00 on 1/19/14 (check #1401) and \$75.00 on 2/27/14 (check #1410) for a total of \$150.00 for temporary retail food license to sell food at the NJ Convention Center, Edison on March 7-9, 2014 and;

WHEREAS, the total fee required for the required temporary retail food license is \$75.00;

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 \$75.00 to Toddco, LLC, 102 Ildewilde Road, Severna, MD 21146.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$75.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.378-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO SARABJIT SAINI FOR OVERPAYMENT OF
RETAIL FOOD LICENSE FEES**

WHEREAS , Sarabjit Saini made two (2) online payments in the amount of \$175.00 on 7/23/14 for a total of \$350.00 for a retail food license for A & S Edison C-Store 737 Route #1 and;

WHEREAS, the total fee required for the required 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 Sarabjit Saini, 737 Route #1, Edison, NJ 08817

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$175.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.379-082014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO NATALIE VASQUEZ DBA EDIBLE ARRANGEMENTS FOR DUPLICATE PAYMENT OF RETAIL FOOD LICENSE FEES

WHEREAS , Natalie Vasquez, DBA Edible Arrangements, made 3 separate \$175.00 online payments (ID numbers 4226, 4259, 4260) on 6/25/14 for a total of \$525.00 for renewal of a retail food license and;

WHEREAS, the total fee required for the required retail food license 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 \$350.00 to Natalie Vasquez, DBA Edible Arrangements, 1199 Amboy Avenue, Edison, NJ 08837.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$350.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.380-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO DAN BARR DBA COSMIC BLENDS FOR
DUPLICATE PAYMENT OF RETAIL FOOD LICENSE FEES**

WHEREAS , Dan Barr, DBA Cosmic Blends, made 2 separate \$175.00 online payments (ID numbers 4275, 4276) on 7/2/14 for a total of \$350.00 for renewal of a retail food license and;

WHEREAS, the total fee required for the required retail food license 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 Dan Barr, DBA Cosmic Blends, 427 Sicomac Ave, Wyckoff, NJ 07481.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$175.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.381-082014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO KI CHUNG DBA MIDDLESEX FARM MARKET FOR DUPLICATE PAYMENT OF RETAIL FOOD LICENSE FEES

WHEREAS , Ki Chung, DBA Middlesex Farm Market, made 2 separate \$600.00 online payments (ID numbers 4269, 4270) on 6/27/14 for a total of \$1200.00 for renewal of a retail food license and;

WHEREAS, the total fee required for the required retail food license is \$600.00;

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 \$600.00 to Ki Chung, DBA Middlesex Farm Market, 80 Fulton Street, Edison, NJ 08817.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$600.00** are available for the above refund in Account No. **4-01-55-0291-000-000**.

Agnes Yang
Acting Chief Financial Officer

Date

R.382-082014

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO KAREN KARMAZSIN FOR
OVERPAYMENT OF DOG LICENSE FEES**

WHEREAS , Karen Karmazsin made duplicate online applications numbered 4198 and 4201 for a 2014 license for her dog “Molly”, along with two payments of \$16.20 totaling \$32.40;

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 \$16.20 to Karen Karmazsin, 272 Hoover Avenue, Edison, NJ 08837 which amount represents the amount of overpayment for 2014 Dog License number 2037.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$16.20** are available for the above refund in Account No. **T-12-00-0100-000-001**.

Agnes Yang
Acting Chief Financial Officer

Date

R.383-082014

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding (MOU) with the Township of Woodbridge as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases to close-out the balance of their FY2013 HUD HOPWA grant, in the approximate amount of \$238,899.60.

**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 had made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH13-F003 in the amount of \$1,405,027.00; and

WHEREAS, the HOPWA Grant funding is to 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 (MOU) with Woodbridge Township's Department of Planning & Development as project sponsor, who will administer the balance of the FY 2013 HOPWA Grant funds until close-out of these funds or the period of time stated in the MOU ends, whichever comes first, as the case may be, in the following MSA area: Middlesex County; and

WHEREAS, Woodbridge Township will have an approximate balance of close-out funds in the amount of \$238,899.60 to be used for rental assistance; 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 \$238,899.60 to administer the HOPWA Grant in Middlesex County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk and the Division of Community Development.
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.
3. An original copy of this resolution shall be provided to the CDBG Coordinator.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding (MOU) with the Ocean County Board of Social Services as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases to close-out the balance of their FY2013 HUD HOPWA grant, in the approximate amount of \$160,222.32.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and mended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH13-F003 in the amount of \$1,405,027.00; and

WHEREAS, the HOPWA Grant funding is to 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 (MOU) with Ocean County Board of Social Services, as project sponsor, who will administer the balance of the FY 2013 HUD HOPWA Grant funds until close-out of these funds or the period of time stated in the MOU ends, whichever comes first, as the case may be, in the following MSA area: Ocean County; and

WHEREAS, Ocean County Board of Social Services will have an approximate balance of \$160,222.32 of close-out funds of which \$158,359.05 may be used for tenant-based rental assistance and \$1,863.27 may be used for the administration of the grant, according to the terms of the MOU; 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 \$160,222.32 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.
3. An original copy of this resolution shall be provided to the CDBG Coordinator.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding (MOU) with the Monmouth County Department of Human Services as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases in order to close-out the balance of their FY2013 HUD HOPWA grant, in the approximate amount of \$157,174.64.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00; 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 have an approximate balance of \$157,174.64 of close-out funds of which \$149,162.42 may be used for tenant-based rental assistance and \$8,012.22 may be used for the administration of the grant, according to the terms of the MOU; 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 \$157,174.64 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.
3. An original copy of this resolution shall be provided to the CDBG Coordinator.

EXPLANATION: This resolution of the Township Council amends Resolution R.110-032014 and approves the receipt of additional funding from the FY2014 Community Development Block Grant in the amount of \$32,539 for a total grant of \$560,828 and approves the attached amended projects and activities funded by this grant.

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

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

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2014 Community Development Block Grant in the amount of Five Hundred Sixty Thousand Eight Hundred Twenty Eight Dollars (\$560,828);

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

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

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

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

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

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an amended application for of Five Hundred Sixty Thousand Eight Hundred Twenty Eight Dollars (\$560,828), which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Amended Proposed Summary of FY14 Annual Action Plan Allocations and listed in the 2014 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

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

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

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

EXPLANATION: Refund of unexpended Developer Escrow Fees.

Township of Edison
Resolution R.387-082014

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees were posted by Colavita Real Estate LLC, for a project located at 330 Talmadge Road, N.J. 08817, in Block 55, Lot 1.Q and was a concept plan; and

WHEREAS, the applicant was required to post Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, on February 10, 2014, Colavita Real Estate LLC posted fees on deposit with the Township of Edison in account # 7763090609 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$450.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Colavita Real Estate LLC.;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$450.00 plus accrued interest, if applicable be refunded to Colavita, 1 Runyons Lane , N.J. 08817

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 450.00, plus accrued interest, if applicable, in account #7763090609 to the applicant.

S;/Escrow Accounts/Resolution/Dev Escrow / 7763090609

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 R. 389-082014

WHEREAS, on May 12, 2014, a Construction (Building) Permit fee, check #4070, permit #2014-1673, was posted in the total amount of \$636.00 by the contractor, Meyer & Depew Co. Inc., having offices at 309 Lafayette Avenue, Kenilworth, NJ 07033; and

WHEREAS, the application was submitted for a generator at 3 Paris Avenue, by the hired contractor; Meyer & Depew, who did not make known to the Construction Code Enforcement Division that the homeowner, Diana Weiner, 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 \$615.00, derived from the \$636.00 total construction permit fee less the \$21.00 DCA fee, be refunded to the contractor Meyer & Depew; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2014-1673, in the amount of \$615.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$615.00 on construction permit fees posted by Meyer & Depew for 3 Paris Avenue be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$615.00 from the Refund of Revenue Fund to the Contractor, Meyer & Depew, 309 Lafayette Avenue, Kenilworth, NJ 07033.

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 R.388-082014

WHEREAS, on July 2, 2014, a Construction (Building) Permit fee, Check #51127, permit #2014-2521, was posted in the total amount of \$426.00 by the contractor, Mid-State Heating & Cooling, having offices at 413 Oak Glen Road, Howell, NJ; and

WHEREAS, the application was submitted for replacement of furnace, condenser, coil & humidifier at 21 Bodnarik by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$415.00, derived from the \$426.00 total construction permit fee less the \$11.00 DCA fee, be refunded to the Homeowner David Farhi, residing at 21 Bodnarik Road, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2014-2521, in the amount of \$415.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$415.00 on construction permit fees posted by Mid-State Heating & Cooling, for 21 Bodnarik Road be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$415.00 from the Refund of Revenue Fund to the Homeowner, David Farhi at 21 Bodnarik Road, Edison , NJ 08817.

JAM/ca

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

TOWNSHIP OF EDISON
RESOLUTION R.390-082014

WHEREAS, on May 23, 2014, a Construction (Building) Permit fee, Check #18876, permit #20141903, was posted in the total amount of \$152.00 by the contractor, 1 800 Heaters, Inc., having offices at 2 Gourmet Lane, Edison, NJ 08837; and

WHEREAS, the application was submitted for a water heater at 5708 Hana Road by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$150.00, derived from the \$152.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the Homeowner Anil Oza, residing at 5708 Hana Road, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20141903, in the amount of \$150.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on construction permit fees posted by 1 800 Heaters, Inc., for 5708 Hana Road be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the Homeowner, Anil Oza at 5708 Hana Road, Edison , NJ 08817.

JAM/ca
5708 Hana Road

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Tingley Woods II, LLC c/o Gary Taffet on Established Site Plan Tree Plantings at Madden Court under Tree Permit No. 07-17.

TOWNSHIP OF EDISON

RESOLUTION R.391-082014

WHEREAS, on February 27, 2007, Tingley Woods II, LLC posted Tree Maintenance Bond fees in the amount of \$9,045.00 on deposit with the Township of Edison in account #7760237683 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #07-17 for property located at Madden Court; 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 \$9,045.00, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$9,045.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Acting Chief Financial Officer Agnes Yang be and is hereby authorized to refund the sum of \$9,045.00, on deposit in Account #7760237683 to Tingley Woods II c/o Gary Taffet, having an address of 505 Thornall Street, Suite 300, Edison, NJ 08837.

EXPLANATION: This resolution provides for refund of the inspection portion of the construction permit fee, less Administration fees, and less 20% municipal plan review fee per the UCC, posted for a residential construction permit where inspection services were not performed .

TOWNSHIP OF EDISON
RESOLUTION R.392-082014

WHEREAS, on November 25 2013, a Construction (Building) Permit fee, check #7620, permit #2013-4981, was posted in the total amount of \$780.00 by Gold Medal Service, having offices at 11 Cotters Lane, East Brunswick, NJ 08816; and

WHEREAS, the application was submitted to replace air conditioning/air handler, boiler and water heater at 4 Nightingale Street for the homeowner; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled; and

WHEREAS, it is therefore appropriate that the municipal permit fee in the amount of \$556.00, derived from the \$780.00 total construction permit fee less the \$10.00 DCA fee, and less 20% plan review fee of \$154.00 for permit #2013-4981, be refunded to Gold Medal Service; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2013-4981, in the amount of \$556.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$556.00 on construction permit fees posted by Gold Medal Service for 4 Nightingale Street be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$556.00 from the Refund of Revenue Fund to Gold Medal Service, 11 Cotters Lane, East Brunswick, NJ 08816.

JAM/ca

RefundofRevenue

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO AROLD CONSTRUCTION COMPANY FOR FROST AVENUE EAST CMP STORM SEWER SYSTEM REPAIR BETWEEN HAYES STREET AND JAMAICA STREET

WHEREAS, an emergency exists in the Frost Avenue East CMP Storm System, between Hayes Street and Jamaica Street effecting the safety and welfare of the public; and

WHEREAS, upon investigation it was determined that the existing corrugated metal pipe storm sewer system, primarily 60" CMP, located in a storm easement in the yards of Frost Avenue East, between Hayes Street and Jamaica Street requires immediate reconstruction/repair; and

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

WHEREAS, AROLD CONSTRUCTION COMPANY, INCORPORATED, 51 POWDER MILL BRIDGE ROAD, KINGSTON, NY 12401 submitted a quote in the amount of \$297,825.00; and

WHEREAS, funds in the amount of \$297,825.00 have been certified to be available in the DPW Asphalt & Materials Equipment Account, Number C-04-14-1872-310-000; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described; and

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$297,825.00, and any other necessary documents, with **AROLD CONSTRUCTION COMPANY, INCORPORATED** for the reconstruction / repair of the 60" CMP, located in the storm sewer easement in the yards of Frost Avenue East, between Hayes Street and Jamaica Street.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$297,825.00** are available for the above in Account No. **C-04-14-1872-310-000**.

Agnes Yang
Acting Chief Financial Officer

Date

EXPLANATION: Resolution Refunding 50% Cash Performance Bond to Edison Route 27, Associates for the Pet Smart.

TOWNSHIP OF EDISON

RESOLUTION R.395-082014

WHEREAS, the Township Engineer advises that an inspection has been made of Pet Smart, Edison Route 27, Associates, under Application #P02-04/05, with site located at 2220 Lincoln Hwy Rt. 27, Block 383-C, Lot 13, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends a Reduction of 50% (\$17,607.12) for partial release of the Cash Performance posted on August 27, 2013 which was posted in the amount of \$35,214.24, on deposit in account #7762495252 with the Township of Edison, principal being Edison Route 27, Assoc., having offices at 820 Morris Turnpike 2301 Short Hills, NJ 07078;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that 50% of the cash bond be released in the amount of \$17,607.12 and the Township Clerk and Acting Director of Finance is hereby authorized to return the aforesaid Cash Performance Bond in the amount \$17,607.12 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 Reduction in the amount of \$17,607.12**, plus interest if applicable, on deposit in account # 7762495252 to the applicant.

S:Eng-Karen-RetReso-CashPerf-EdisonRt.27Assoc.-PetSmart

EXPLANATION: Resolution Refunding 50% Cash Performance Bond to Edison Route 27, Associates for the Pet Smart.

TOWNSHIP OF EDISON

RESOLUTION R.395-082014

WHEREAS, the Township Engineer advises that an inspection has been made of Pet Smart, Edison Route 27, Associates, under Application #P02-04/05, with site located at 2220 Lincoln Hwy Rt. 27, Block 383-C, Lot 13, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends a Reduction of 50% (\$17,607.12) for partial release of the Cash Performance posted on August 27, 2013 which was posted in the amount of \$35,214.24, on deposit in account #7762495252 with the Township of Edison, principal being Edison Route 27, Assoc., having offices at 820 Morris Turnpike 2301 Short Hills, NJ 07078;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that 50% of the cash bond be released in the amount of \$17,607.12 and the Township Clerk and Acting Director of Finance is hereby authorized to return the aforesaid Cash Performance Bond in the amount \$17,607.12 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 Reduction in the amount of \$17,607.12**, plus interest if applicable, on deposit in account # 7762495252 to the applicant.

S:Eng-Karen-RetReso-CashPerf-EdisonRt.27Assoc.-PetSmart

EXPLANATION: Resolution Refunding Unexpended Engineering Inspection Fees to Panera LLC, Drive Thru 1551 Route 1 South.

TOWNSHIP OF EDISON
RESOLUTION R.396-082014

WHEREAS, the Township Engineer advises that a final inspection was done of the Panera LLC Drive Thru Addition, under Application #Z36-2011, site located in Block 691, Lot 7-F-1; and

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

WHEREAS, on September 19, 2012 Panera Bread Co. posted inspection fees in the amount of \$4,851.00 on deposit with the Township of Edison in account #7760296207 for engineering inspections; and

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

WHEREAS, the sum expended for engineering inspections totals \$2,622.97; and

WHEREAS, it is in now in order that the sum of \$2,228.28, plus interest if applicable, which represents the amount due and owing the applicant, be returned to Panera Bread Co, having offices at 3630 S. Geyer Road, Suite 100 Sunset Hills, MO 63127;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,228.28, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Acting Director of Finance be and is hereby authorized to refund said sum of \$2,228.28, plus interest if applicable, in account #7760296207 to the applicant.

JAM/sb

S-Karen-RetResoInspFeeRefund-PaneraBread-DriveThru-1551 Rt.1S

R.398-082014

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR ELEVATOR MAINTENANCE AND REPAIR WITH FEDERAL ELEVATOR INCORPORATED IN AN AMOUNT NOT TO EXCEED \$17,292.39

WHEREAS, FEDERAL ELEVATOR INCORPORATED was awarded Contract No. 13-12-07-Elevator Maintenance and Repair through Resolution R. 590-102013 for the period November 13, 2013 to November 13, 2014, in the amount of \$15,000.00; and

WHEREAS, repair services are needed to all three elevators that were not anticipated at the time the contract was awarded in the amount of \$5,764.13 for each elevator for a total amount of \$17,292.39; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$17,292.39 to the contract with FEDERAL ELEVATOR INCORPORATED, with all prices as well as all terms and conditions to remain the same until such as time the contract expires; and

WHEREAS, the total amount of additional funds, not to exceed \$17,292.39, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute a contract in the amount not to exceed \$17,292.39, and any other necessary documents, with FEDERAL ELEVATOR INCORPORATED described herein.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
TRIOUS, INC. FOR THE PURCHASE OF TWO (2) A V-BOX SPREADERS FOR THE DEPARTMENT OF
PUBLIC WORKS**

WHEREAS, bids were received by the Township of Edison on July 24, 2014 for Public Bid No. 14-07-07-V-Box Spreader for the Department of Public Works; and

WHEREAS, TRIUS, INC., 458 Johnson Ave., Bohemia, NY 11716 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$28,518.00 (\$14,259.00 each for two spreaders); and

WHEREAS, funds in the amount of \$11,772.16 have been certified to be available in the Sanitation Operating – New Equipment Account, Number 4-09-55-0800-001-212 and funds in the amount of \$16,745.84 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001; and

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

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

1. All bids have been reviewed, and the bid submitted by TRIUS, INC., 458 Johnson Ave., Bohemia, NY 11716 for the purchase of two (2) V-Box Spreaders for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$28,518.00, and any other necessary documents, with TRIUS, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$16,745.84** are available for the above contract in Account No. **C-04-12-1817-370-001** and funds in the amount of **\$11,772.16** are available in Account No. **4-09-55-0800-001-212**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO GMH ASSOCIATES OF AMERICA, INC., FOR GENERATOR MAINTENANCE AND REPAIR

WHEREAS, bids were received by the Township of Edison on June 24, 2014 for Public Bid No. 14-10-03, Generator Maintenance and Repair for the Department of Public Works; and

WHEREAS, GMH ASSOCIATES OF AMERICA, INC., 5 Chelton Way, Bldg. 15., Trenton, NJ 08638, submitted the lowest legally responsible, responsive bid; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by GMH ASSOCIATES OF AMERICA, INC., 5 Chelton Way, Bldg. 15., Trenton, NJ 08638 for Generator Maintenance and Repair for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents, with GMH ASSOCIATES OF AMERICA, INC., 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 AUTHORIZING A REIMBURSEMENT TO
SUNIL ROBERT FOR THE TEEN CENTER PROGRAM**

WHEREAS Sunil Robert made an overpayment in the amount of \$15.00 for his child Aman Yuppula's participation in the Teen Center Program.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$15.00 to Sunil Robert, 90 Gate House Ln., Edison, NJ 08820, which amount represents the overpayment for the teen center membership fee.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$15.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MALINI SANYAL FOR THE ABC PROGRAM**

WHEREAS Malini Sanyal made payment in the amount of \$255.00 for her children, Aashna Sanyal & Aritra Sanyal's participation in the afternoon ABC Program at James Madison Primary & Intermediate Elementary Schools; and

WHEREAS Malini Sanyal lost her job; and

WHEREAS the children were withdrawn from program but payment has already been made for the month of September 2014

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$255.00 to Malini Sanyal, 101 Maplecrest Rd., Edison, NJ 08820, which amount represents the monthly fee for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$255.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
PAPIA MAJUMDAR FOR THE SUMMER PLAYGROUND PROGRAM**

WHEREAS Papia Majumdar made payment in the amount of \$30.00 for her child, Irtifa Tasnim's participation in the Summer Playground Program at Stelton Park; and

WHEREAS the family is leaving the country and the child will not be able to attend the playground program.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$30.00 to Papia Majumdar, 2 Koster Dr., Edison, NJ 08817, which amount represents the registration for the Summer Playground Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Agnes Yang
Acting Chief Financial Officer

Date

Resolution R.404-082014
DRIVE SOBER OR GET PULLED OVER
2014
Labor Day Crackdown
Grant Approval

Whereas, the Division of Police has applied for grant funding in the amount of \$5,000.00 to provide additional manpower hours to enforce DWI Laws; and

Whereas, in 2012, nationwide, alcohol related fatalities from traffic accidents increased; and

Whereas, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

Whereas; the project will involve increased enforcement from August 15 through September 1, 2014; and

Whereas; an increase in enforcement will save lives on our roadways;

Therefore, be it resolved that the Edison Township Council on behalf of the Division of Police will accept the grant for \$5,000 for Drive Sober or Get Pulled Over 2014 Labor Day Crackdown between: August 15, 2014 – September 1, 2014 and pledges to increase awareness of DWI Laws.

Be It Further Resolved, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant for and on behalf of the Township of Edison.

R.405-082014

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE POLICE VEHICLES FROM WINNER FORD THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM

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

WHEREAS, the Township of Edison is a member of the Cranford Police Cooperative Pricing System; and

WHEREAS, WINNER FORD, 250 Haddonfield-Berlin Rd., Cherry Hill, NJ 08034 has been awarded Contract 13-01 - Police and Administrative Vehicles, through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with WINNER FORD for the purchase of two (2) 2014/2015 Black and White Ford Sedan Interceptors at a price of \$24,335.00 each for a total of \$48,670.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with WINNER FORD for the purchase of one (1) 2014/2015 Solid Color Ford Sedan Interceptor at a price of \$24,185.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with WINNER FORD for three (3) 2014/2015 Black and White Ford Utility Interceptor at a price of \$24,392.00 each for a total of \$73,176.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with WINNER FORD for two (2) 2014/2015 Solid color Ford Utility Interceptors at a price of \$24,242.00 each for a total of \$48,484.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, funds for these purchases, in the amount of \$194,515.00 are available in the Police Department – Purchase of Vehicle Account, No. 4-01-25-0240-000-051; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$194,515.00 with WINNER FORD, 250 Haddonfield-Berlin Rd., Cherry Hill, NJ 08034, the approved Cranford Police Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Cranford Police Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$194,515.00** are available for the above in Account No. **4-01-25-0240-000-051**.

Agnes Yang
Acting Chief Financial Officer

Date

RESOLUTION REJECTING BID FOR REMANUFACTURED AUTOMATIC POLICE TRANSMISSIONS

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on June 12, 2014, for Public Bid No. 14-03-07, REMANUFACTURED POLICE AUTOMATIC POLICE TRANSMISSIONS with a bid opening date of June 26, 2014; and

WHEREAS, there was one bidder, Jasper Engines and Transmissions, 815 Wernsing Road, Jasper, IN 47546; and

WHEREAS, this contract is for remanufactured automatic transmissions which would include parts and installation and Jasper does not provide installation; and

WHEREAS, if awarded this contract, it was Jasper Engines and Transmissions intent to subcontract the installation portion of the contract and this is not acceptable to the Township; and

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the bid submittal from Jasper Engines and Transmissions is hereby rejected and the Purchasing Agent is authorized to rebid said project.

EXPLANATION: A Resolution authorizing the refunding of a limousine licensing fee to Wilner Livery Service, Inc. due to over-collection.

EDISON TOWNSHIP

RESOLUTION __R.407-082014_____

WHEREAS, the Township of Edison (“Township”) is responsible for the licensing of local limousine services pursuant to Section 11-31 of its Code of Ordinances; and

WHEREAS, New Jersey State law at *N.J.S.A.* 48:16-17 limits the fees allowed to be charged limousine services for municipal licensing; and

WHEREAS, the Township over-charged Wilner Livery Service, Inc. (“Wilner”) for the issuance of its 2014 limousine service licenses in contravention of State law; and

WHEREAS, the municipal council of the Township (“Municipal Council”) desires to refund \$1,280.00 to Wilner, representing the amount over-collected with respect to Wilner’s current license.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township finance department is hereby authorized to refund \$1,280.00 to Wilner to resolve the Township’s over-collection of limousine licensing fees.
3. This Resolution shall take effect immediately.

EXPLANATION: A Resolution authorizing the refunding of a public entertainment permit application fee to the Pakistani American Council USA, Inc., due to the withdrawal of the permit application.

EDISON TOWNSHIP

RESOLUTION R.408-082014

WHEREAS, the Township of Edison (“Township”) regulates the use of its park facilities by groups, associations and organizations for picnics, parties or theatrical or entertainment performances through the issuance of permits issued pursuant to Section 24-2 *et seq.* of its Code of Ordinances; and

WHEREAS, Pakistani American Council USA, Inc. (“Permittee”) submitted an ‘Application for Public Entertainment Permit’ (“Application”) to the Township to receive a permit to hold an event on August 24, 2014 in Papianni Park to celebrate Pakistani Day; and

WHEREAS, Permittee paid the required permit application fee of \$1,000.00 in connection with the submission of its Application; and

WHEREAS, the Permittee no longer seeks to hold its Pakistani Day event due to unforeseen circumstances, and consequently, has withdrawn its Application and has requested that the Township return its application fee; and

WHEREAS, the municipal council of the Township (“Municipal Council”) desires to return the application fee of \$1,000.00 to the Permittee, in light of the Permittee’s cancelling of its scheduled event and the withdrawal of the Application.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township finance department is hereby authorized to refund \$1,000.00 to Permittee, representing the full amount of the permit fee submitted with the Application.
3. This Resolution shall take effect immediately.

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO AVECTUS, LLC FOR PHOTOGRAPHY AND AUDIO/VIDEO EQUIPMENT INSTALLATION AND REPAIRS

WHEREAS, bids were received by the Township of Edison on July 9, 2014 for Public Bid No.14-02-14R, Photography and Audio/Video Equipment Installation and Repairs for the Township of Edison; and

WHEREAS, AVECTUS, LLC, 1411 US Highway 22 East, Lebanon, NJ 08833 submitted the lowest legally responsible, responsive bid for various items/sections of the bid as listed on the spreadsheet; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by AVECTUS, LLC, 1411 US Highway 22 East, Lebanon, NJ 08833 for Photography and Audio/Video Equipment Installation and Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items/sections of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00 and any other necessary documents, with AVECTUS, LLC as described herein.

RESOLUTION R.410-082014
Authorizing Overpayment Refund caused by
Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	BRAHMBHATT, JAGDISH ETAL
PROPERTY LOCATION	88 SCOTLAND AVE
BLOCK / LOT / QUALIFIER	357 / 36.A

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
015300-2013	2013	\$155,300

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$826.25** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	\$826.25

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the proper Township Officials are hereby authorized issue checks consistent with the amount refunded for the foregoing assessment reduction and process credits against open tax balances.

August 27, 2014

EXPLANATION: Resolution Refunding Cash Performance and Performance Bond
Fuji Photo Film USA-Parking Lot Expansion

**TOWNSHIP OF EDISON
RESOLUTION R.411-082014**

WHEREAS, the Township Engineer advises that an inspection has been made of Fuji Photo Film-Parking Lot Expansion Application #P08-05/06 located at 1100 King Georges Post Road Block: 390-C Lot (s): 24, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Letter of Credit No. S032997 of Bank of Tokyo posted on May 1, 2006 in the amount of \$56,540.16 with the Township of Edison, principal being Fuji Photo Film USA, Inc.. and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Check posted on February 17, 2006 in the amount of \$6,282.24, plus accrued interest, if applicable, on deposit in account #7760013279 with the Township of Edison, principal being Fuji Photo Film Inc. having offices at 200 Summit Lake Drive, Valhalla, NY 10595 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 release the aforesaid Letter of Credit the amount \$56,540.16 to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of \$6,282.24 plus accrued interest, if applicable, on deposit in account # 7760013279 to the applicant.

S:Eng-Karen-RetReso-CashPerf&PerfBond-FujiFilm-ParkinglotExpansion

EXPLANATION: Resolution Refunding Inspection Fees to Fuji Photo Film USA
200 Summit Lake Drive, Valhalla, NY 10595

RESOLUTION R.412-082014

WHEREAS, the Township Engineer advises that a final inspection was made of Fuji Film located at 1100 King Georges Post Road Application #P08-05/06 located in Block390-C, Lot(s): 24

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

WHEREAS, on February 17, 2006, Fuji Photo Film USA, Inc. posted inspection fees in the amount of \$2,617.60 on deposit with the Township of Edison in account #7200025154 for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$2,112.86; and

WHEREAS, it is in now in order that the sum of \$504.74, which represents the amount due and owing the applicant, be returned to Fuji Photo Film USA having offices at 200 Summit Lake Drive, Valhalla, NY 10595

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$504.74 plus accrued interest, if applicable, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$504.74, in account #7200025154 to the applicant.

JAM/sb

S-Karen-RetResoInspFeeRefund-FujiFilmUSA-ParkingLotExpansion

