

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Tuesday, September 8, 2014
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 14, 2013 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Closed Session of February 10, 2014
 - b. Closed Session of August 25, 2014
 - c. Worksession of July 21, 2014
 - d. Worksession of August 25, 2014
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolutions authorizing additional funds for the furnishing of Printing Services.
 - b. Resolution authorizing additional funds for the furnishing of supplies for Office Equipment.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through September 4, 2014.
 - b. Resolution authorizing refund in the amount of \$88,206.35 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$44,201.52.
10. **FROM THE DEPARTMENT OF LAW:**
 - a. Resolution authorizing the execution of a consent order concerning property located at 113 Oakland Avenue, Block 221, Lot 17.
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution provides for the reimbursement cost to two identified COAH units (group homes) to Triple C Housing, Inc. under the Affordability Assistance program funded by Affordable Housing Trust Funds.

12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Awarding of Contract/Purchase order for Park and Playground Equipment for the Winter Street Park.
 - b. Award of Contract for Public Bid No. 14-07-21 for Hydraulic System Supply and Repair Service.
 - c. Awarding of Contract/Purchase orders for the furnishing of Maintenance and Repair for Heavy Duty Vehicles.
 - d. Awarding Contract/Purchase order for the furnishing of Automotive Parts for Heavy Duty Vehicles.
 - e. Awarding Contract/Purchase order for furnishing of parts and repairs for Road Maintenance Equipment.

13. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution authorizing a reimbursement for ABC Program.
 - b. Resolution awarding payment to various non-profit organization for League Recreational Services.
 - c. Resolution authorizing a reimbursement for Pre-school.

14. **FROM THE CHIEF OF FIRE:**
 - a. Approval of Volunteer Firefighters

15. **FROM THE CHIEF OF POLICE:**
 - a. Awarding of Contract/Purchase Order for the purchase of a 2015 Ford Fusion Sedan.
 - b. Awarding of Contract/Purchase Order for the purchase of a 2015 4-Wheel Drive Ford Explorer.
 - c. Resolution authorizing a Public Sale of fifty (50) vehicles that were found abandoned and were recovered by the Police Division.

16. **FROM THE TOWNSHIP CLERK:**
 - a. Resolutions rescinding renewal for liquor licenses.
 - b. Resolutions authorizing Liquor License renewals.

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

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

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.

19. **DISCUSSION ITEMS:**

Council President Karabinchak

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

Councilmember Diehl

NONE

Councilmember Gomez

NONE

Councilmember Lombardi

NONE

Councilmember Mascola

NONE

Councilmember Prasad

NONE

Councilmember Shah

NONE

20. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING SEPTEMBER 4, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through September 4, 2014

FUND	AMOUNT
Current	\$21,433,909.96
Affordable Housing	0.00
Capital	0.00
Cash Performance	0.00
CDBG	0.00
Developers Escrow	0.00
Dog (Animal Control)	8,841.84
Federal Forfeited	1,236.30
Grant Funds	3,662.45
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	709,653.99
Sanitation Fund	229,017.04
Sewer Utility	2,345,607.77
Tax Sale Redemption	466,153.94
Water Operation Fund	0.00
Tree Planting	0.00
Trust	137,684.32
 TOTAL	 \$25,416,767.61

/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 AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING
OF PRINTING SERVICES WITH A & P PRINTING IN AN AMOUNT NOT
TO EXCEED \$2,200.00**

WHEREAS, A & P PRINTING, was awarded Contract No. 12-08-02- Printing Services through Resolution R. 716-102012 for the period December 17, 2012 to December 17, 2014 in the amount of \$4,000.00 and that amount has been depleted; and

WHEREAS, the contract agreement allows for authorization of additional funds to complete the term of the contract; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$2,200.00 to replenish and complete the two year term of the contract with A & P PRINTING, with all prices as well as all terms and conditions to remain the same until such as time the contract expires; and

WHEREAS, these additional funds in the total amount of \$4,000.00, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to award additional funds and amend the contract in the amount not to exceed \$2,200.00, and any other necessary documents, with A & P PRINTING described herein.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING
OF PRINTING SERVICES WITH CONCEPT PRINTING
INCORPORATED IN AN AMOUNT NOT TO EXCEED \$8,000.00**

WHEREAS, CONCEPT PRINTING INCORPORATED, was awarded Contract No. 12-08-02-Printing Services through Resolution R. 714-102012 for the period December 17, 2012 to December 17, 2014 in the amount of \$37,500.00 and that amount has been depleted; and

WHEREAS, the contract agreement allows for authorization of additional funds to complete the term of the contract; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$8,000.00 to replenish and complete the two year term of the contract with CONCEPT PRINTING INCORPORATED, with all prices as well as all terms and conditions to remain the same until such as time the contract expires; and

WHEREAS, these additional funds in the total amount of \$8,000.00, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to award additional funds and amend the contract in the amount not to exceed \$8,000.00, and any other necessary documents, with CONCEPT PRINTING INCORPORATED described herein.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING
OF SUPPLIES FOR OFFICE EQUIPMENT WITH CNI OFFICE
SUPPLIES IN AN AMOUNT NOT TO EXCEED \$6,000.00**

WHEREAS, CNI OFFICE SUPPLIES, was awarded Contract No. 13-02-03- Supplies for Office Equipment through Resolution R. 492-082013 (in the amount of \$16,000.00) and additional funds through R. 067-022014 (in the amount of \$20,000.00) for the period September 26, 2013 to September 26, 2014 for a total amount of \$36,000.00 and that amount has been depleted; and

WHEREAS, the contract agreement allows for authorization of additional funds to complete the term of the contract; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$6,000.00 to replenish and complete the one year term of the contract with CNI OFFICE SUPPLIES, with all prices as well as all terms and conditions to remain the same until such a time as the new contract is awarded; and

WHEREAS, these additional funds in the total amount not to exceed \$6,000.00, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to award additional funds and amend the contract in the amount not to exceed \$6,000.00, and any other necessary documents, with CNI OFFICE SUPPLIES described herein.

RESOLUTION

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

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

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$88,206.35**.

September 10, 2014

RESOLUTION

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 \$44,201.52 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.

September 10, 2014

**RESOLUTION OF THE TOWNSHIP OF EDISON (THE “TOWNSHIP”)
AUTHORIZING THE EXECUTION OF A CONSENT ORDER CONCERNING
PROPERTY LOCATED AT 113 OAKLAND AVENUE, AND DESIGNATED ON THE
TOWNSHIP’S TAX MAP AS BLOCK 221, LOT 17**

RESOLUTION NO: ____

WHEREAS, the Township (then known as the Township of Raritan) acquired title to the real property commonly known as 113 Oakland Avenue, Edison, New Jersey and designated as Block 221, Lot 17 on the Township’s Tax Maps (the “**Property**”) by In Rem Tax Foreclosure in or about 1951; and

WHEREAS, it is believed that the Township conveyed the Property to Bertha Wieczorek and Edmund J. Wieczorek (collectively, the “**Owners**”) in or about 1953; and

WHEREAS, since 1953, the Owners have been assessed real estate taxes for the Property by the Township, and those taxes were paid; and

WHEREAS, Raymond E. Lalley (the “**Current Owner**”), the successor to the Owners of the Property, who are now deceased, is in the process of selling the Property, and as part of the sales process, a title search was ordered (the “**Title Search**”); and

WHEREAS, the Title Search did not show a deed from the Township to the Owners in 1951, or at any subsequent time; and

WHEREAS, it is clear based upon circumstances that the Township intended to convey the Property to the Owners and either the deed was lost, or not recorded as an oversight; and

WHEREAS, in order to “quiet title” title to the Property, the Current Owner commenced an action entitled “*Raymond E. Lalley v. Township of Edison*” in the Superior Court of New Jersey, Chancery Division, Middlesex County, bearing Docket No. C-137-14 (the “**Quiet Title Action**”); and

WHEREAS, the Current Owner has requested that the Township authorize the execution of the “Consent Order to Quiet Title to Real Property” in the form attached hereto as Exhibit “A” in order to resolve any question as to the title to the Property; and

WHEREAS, the Property (i) has never been used for a public purpose; and (ii) the Township has determined that it has no interest in the Property; and (iii) the failure of a deed to be tendered to the Owners or recorded was either an oversight, or the deed was misplaced.

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. Counsel for the Township is authorized and directed to execute the “Consent Order to Quiet Title to Real Property” substantially in the form attached hereto as Exhibit “A” (the “**Consent Order**”).

3. The Mayor is authorized to execute a Quitclaim Deed as contemplated by the Consent Order to further evidence the conveyance of title to the Current Owner after review of such Quitclaim Deed by counsel for the Township.

3. This Resolution shall take effect immediately.

:

Explanation: This resolution of the Township Council of Edison provides for the reimbursement of rehabilitation costs to two identified COAH units (group homes) to Triple C Housing, Inc. under the Affordability Assistance program funded by Affordable Housing Trust Funds in the amount of \$56,750.

**RESOLUTION OF THE TOWNSHIP OF EDISON
AUTHORIZING REIMBURSEMENT OF CERTAIN FUNDS
TO TRIPLE C HOUSING, INC. FOR COSTS INCURRED UNDER
THE AFFORDABLE ASSISTANCE PROGRAM FOR
REHABILITATION OF CERTAIN GROUP HOMES**

WHEREAS, Triple C Housing, Inc., located at One Distribution Way, Monmouth Junction, New Jersey 08852, (“Triple C”) is a non-profit organization that provides housing for special needs adults; and

WHEREAS, Triple C has expended funds in the amount of \$56,750 for construction work in connection with the rehabilitation of two group homes located in the Township of Edison at 337 Plainfield Avenue and 65 Sturgis Road, as part of the Township’s Affordable Assistance Program, which is part of the Township’s Spending Plan with COAH; and

WHEREAS, Triple C seeks reimbursement from the Township for such costs and the Township is authorized to reimburse Triple C for such costs in accordance with the Township’s Affordable Assistance Program, and

WHEREAS, such funds are available in the Township’s Affordable Housing Trust Fund Account T-13-00-0000-000-006 to make such reimbursement to Triple C as requested.

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

1. The Township Council of the Township of Edison, Middlesex County, hereby authorizes and approves funds in the amount of \$56,750 to be paid from the Township’s Affordable Housing Trust Fund Account T-13-00-0000-000-006 to reimburse Triple C Housing, Inc. for construction costs incurred for rehabilitation of two group homes in the Township of Edison.
2. An original copy of this resolution shall be forwarded to the Municipal Housing Liaison.
3. This Resolution shall take effect immediately.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BCI BURKE
COMPANY LLC FOR THE PURCHASE OF PARK AND PLAYGROUND EQUIPMENT
FOR THE WINTER STREET PARK**

WHEREAS, there is a need for the purchase of park and playground equipment for the Winter Street Park; and

WHEREAS, BCI BURKE COMPANY, LLC, 660 Van Dyne Road, PO BOX 549, Fond du Lac, WI 54937 has been awarded State Contract Number 81430 under T-0103/Park and Playground Equipment Parts; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$49,086.98; and

WHEREAS, funds in the amount of \$49,086.98 have been certified to be available in the Improvements to Parks Account, Number C-04-03-1352-382-004; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$49,086.98, and any other necessary documents, with BCI Burke Company, LLC660, Van Dyne Road, PO BOX 549, Fond du Lac, WI 54937 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 81430 under T-0103.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$49,086.98** are available for the above in Account No. C-04-03-1352-382-004.

Agnes Yang

Acting Chief Financial Officer

Date

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AMERICAN HOSE & HYDRAULICS, INC. FOR HYDRAULIC SYSTEM SUPPLY AND REPAIR SERVICE

WHEREAS, bids were received by the Township of Edison on August 20, 2014 for Public Bid No. 14-07-21-Hydraulic System Supply and Repair Service; and

WHEREAS, AMERICAN HOSE & HYDRAULICS, INC., 700 21st. Ave., Paterson, NJ 07513 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$30,000.00, 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 AMERICAN HOSE & HYDRAULICS, INC., 700 21st. Ave., Paterson, NJ 07513 for Hydraulic System Supply and Repair Service, 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 \$30,000.00 and any other necessary documents, with AMERICAN HOSE & HYDRAULICS, INC., as described herein.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AMERICAN HOSE & HYDRAULICS, INC. FOR HYDRAULIC SYSTEM SUPPLY AND REPAIR SERVICE

WHEREAS, bids were received by the Township of Edison on August 20, 2014 for Public Bid No. 14-07-21-Hydraulic System Supply and Repair Service; and

WHEREAS, AMERICAN HOSE & HYDRAULICS, INC., 700 21st. Ave., Paterson, NJ 07513 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$30,000.00, 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 AMERICAN HOSE & HYDRAULICS, INC., 700 21st. Ave., Paterson, NJ 07513 for Hydraulic System Supply and Repair Service, 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 \$30,000.00 and any other necessary documents, with AMERICAN HOSE & HYDRAULICS, INC., as described herein.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO NORCIA
CORPORATION FOR THE FURNISHING OF PARTS AND REPAIRS FOR ROAD
MAINTENANCE EQUIPMENT FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need to purchase Parts and Repairs for Road Maintenance Equipment for the Township of Edison; and

WHEREAS, NORCIA CORPORATION, 451 Blackhorse Lane, North Brunswick, NJ 08902, has been awarded State Contract Number 85864 under T-2188/Parts and Repairs for Road Maintenance Equipment; and

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

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$20,000.00 and any other necessary documents, with NORCIA CORPORATION, 451 Blackhorse Lane, North Brunswick, NJ 08902, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 85864 under T-2188.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO ATLANTIC
DETROIT DIESEL FOR THE FURNISHING OF MAINTENANCE AND REPAIR FOR
HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for Maintenance and Repair of Heavy Duty Vehicles for the Township of Edison; and

WHEREAS, ATLANTIC DETROIT DIESEL, P.O. Box 950, Lodi, NJ 07644, has been awarded State Contract Number 73511 under T-2108/Maintenance and Repair for Heavy Duty Vehicles; and

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

WHEREAS, the total amount of this contract, not to exceed \$30,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$30,000.00 and any other necessary documents, with ATLANTIC DETROIT DIESEL, P.O. Box 950, Lodi, NJ 07644, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 73511 under T-2108.

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase automotive parts for heavy duty vehicles for the Township of Edison; and

WHEREAS, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 73722 under T-2085/Automotive parts for Heavy Duty Vehicles; and

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

WHEREAS, the total amount of this contract, not to exceed \$45,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$45,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 73722 under T-2085.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
ROSEMARIE PITTENGER FOR THE ABC PROGRAM**

WHEREAS Rosemarie Pittenger made payment in the amount of \$165.00 for her children, Paolo Pittenger & Matteo Pittenger's participation in the morning ABC Program at James Monroe School; and

WHEREAS their bus schedules have changed; and

WHEREAS the children were withdrawn from the 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 \$165.00 to Rosemarie Pittenger, 4 Roosevelt Terr., Edison, NJ 08837, which amount represents the monthly fee for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$165.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KALPNA PATEL FOR THE PRE-SCHOOL PROGRAM**

WHEREAS Kalpna Patel made payment in the amount of \$145.00 for her child, Aarav Patel's participation in the 4 Year Old Pre-School Program at the Stelton Community Center; and

WHEREAS the child was withdrawn from the program prior to starting; and

WHEREAS 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 \$145.00 to Kalpna Patel, 145 E Marina Dr., Edison, NJ 08817, which amount represents the monthly fee for the 4 Year Old Pre-School Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$145.00 are available in Account #4-01-55-0291-000-000.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AWARDING PAYMENT TO VARIOUS NON-PROFIT
ORGANIZATIONS FOR LEAGUE RECREATIONAL SERVICES
FUNDING SPORTS ACTIVITIES**

WHEREAS, there exists an ordinance for the Township of Edison to provide for League Recreational Services Funding for sports activities sponsored by certain nonprofit sports organizations; and

WHEREAS, funds in the amount of \$191,655.00 have been certified to be available in the Recreation Other Professional Services Account Number 4-01-28-0370-000-028; and

WHEREAS, the below listed nonprofit sports organizations will be eligible for the amounts specified as their annual allotment, after complying with all requirements listed in the contracts between the Leagues and the Township of Edison:

Edison Angels Softball	\$20,880.00
Edison Boys Baseball	\$42,120.00
Edison Jets Football	\$ 9,720.00
Edison Youth Basketball	\$15,390.00
Edison United Soccer Association	\$27,000.00
Fords/Clara Barton Little League	\$ 3,888.00
Little Eagles Wrestling	\$ 2,835.00
Midtown Little League	\$13,770.00
North Edison Baseball & Softball Asso.	\$42,282.00
North Edison Shamrocks Football	\$ 9,720.00
Buddy Ball of Edison	\$ 4,050.00

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that authorization be given, to release said funds to these nonprofit sports organizations.

CERTIFICATION

I hereby certify that funds in the amount of \$191,655.00 are available for the above payment in Account No. 4-01-28-0370-000-028.

Agnes Yang
Acting Chief Financial Officer

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES FOR THE PURCHASE OF A 2015 FORD FUSION SEDAN FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase a 2015 Ford Fusion Sedan for the Division of Police; and

WHEREAS, HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963, has been awarded State Contract Number 86922 under T-0099/Vehicles, Automobiles, Sedans/Crossover; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$17,400.00; and

WHEREAS, funds in the amount of \$17,400.00 have been certified to be available in the Police Department – Purchase of Vehicles Account, Number 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 in the amount not to exceed \$17,400.00, and any other necessary documents, with HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 86922 under T-0099.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$17,400.00** are available for the above in Account No. 4-01-25-0240-000-051.

Agnes Yang
Acting Chief Financial Officer

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BEYER FORD,
LLC FOR THE PURCHASE OF A 2015 4-WHEEL DRIVE FORD EXPLORER FOR
THE DIVISION OF POLICE**

WHEREAS, there is a need to purchase a 2015 4-Wheel Drive Ford Explorer for the Division of Police; and

WHEREAS, BEYER FORD, LLC, 170 Ridgedale Ave., Morristown, NJ 07962, has been awarded State Contract Number 83013 under T-2007/Vehicles, Sport Utility (SUV); and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$24,708.00; and

WHEREAS, funds in the amount of \$24,708.00 have been certified to be available in the Police Department – Purchase of Vehicles Account, Number 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 in the amount not to exceed \$24,708.00, and any other necessary documents, with BEYER FORD, LLC, 170 Ridgedale Ave., Morristown, NJ 07962 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 83013 under T-2007.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,708.00** are available for the above in Account No. 4-01-25-0240-000-051.

Agnes Yang
Acting Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A PUBLIC SALE PURSUANT TO N.J.S.A. 39:10A-1 ET. SEQ. OF
FIFTY (50) VEHICLES THAT WERE FOUND ABANDONED AND WERE RECOVERED BY THE
EDISON POLICE DIVISION**

WHEREAS, in accordance with N.J.S.A. 39:10A-1 et. seq. the Edison Police Division regularly has vehicles that came into possession of the Township of Edison through abandonment or failure of owners to claim said vehicles and these have been duly processed; and

WHEREAS, the vehicles that are not recovered by the owners become the property of the Township of Edison and it is necessary to conduct a public sale to dispose of said vehicles.

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

1. The appropriate township officials are hereby authorized to advertise and auction the public sale of vehicles as indicated on the attached list that were found abandoned throughout the Township of Edison, not recovered by the owners, and have become the property of the Township of Edison.
2. The Township Clerk shall advertise the attached list of fifty (50) vehicles one time in the Home News Tribune.

EXPLANATION: A Resolution rescinding Resolution R.341-062013, in part, to rescind the renewal of two plenary retail consumption liquor licenses.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, application was made to the Township of Edison (“Edison”) by Edison Land Investment, LLC (“Entity”) for the renewal of its two plenary retail consumption liquor licenses, license numbers 1205-33-015-014 and 1205-33-030-004 (collectively, the “Licenses”) for year 2013-2014; and

WHEREAS, the Township renewed the Entity’s Licenses for 2013-2014 through the adoption of Resolution R.341-062013 adopted on June 12, 2013, despite the Entity’s failure to timely and properly renew the Licenses for 2012-2013; and

WHEREAS, the Township wishes to rescind Resolution R.341-062013, in part, solely to rescind the renewal of the Entity’s Licenses for 2013-2014 granted thereunder.

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

1. Resolution R.341-062013 adopted on June 30, 2013 is rescinded in part. The renewal of the Entity’s Licenses for 2013-2014 granted thereunder is rescinded. The status of the balance of the licenses renewed under Resolution R.341-062013 remains unchanged by the adoption of the hereof.

2. This Resolution shall take effect immediately.

EXPLANATION: A Resolution rescinding Resolution R.765-112012 which improperly renewed two plenary retail consumption liquor licenses.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, application was made to the Township of Edison (“Edison”) by Edison Land Investment, LLC (“Entity”) for the renewal of its two plenary retail consumption liquor licenses, license numbers 1205-33-015-014 and 1205-33-030-004 (collectively, the “Licenses”) for year 2012-2013; and

WHEREAS, the Township renewed the Entity’s Licenses for 2012-2013 through the adoption of Resolution R.765-112012 adopted on November 13, 2012, despite the Entity’s untimely submission of its license renewal applications; and

WHEREAS, the Township wishes to rescind Resolution R.765-112012 and the 2012-2013 renewal of the Licenses granted thereunder.

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

1. Resolution R.765-112012 adopted on November 13, 2012 and the renewal of the Licenses for 2012-2013 granted thereunder is hereby rescinded.

2. This Resolution shall take effect immediately.

EXPLANATION: A Resolution renewing the two plenary retail consumption licenses of Edison Land Investment, LLC for year 2012-2013 pursuant to Special Rulings of the New Jersey Division of Alcoholic Beverage Control.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, application was made to the Township of Edison (“Edison”) by Edison Land Investment, LLC (“Entity”) for the renewal of its two plenary retail consumption liquor licenses, license numbers 1205-33-015-014 and 1205-33-030-004 (collectively, the “Licenses”) for year 2012-2013; and

WHEREAS, the Township renewed the Entity’s Licenses for 2012-2013 through the adoption of Resolution R.765-112012 adopted on November 13, 2012, despite the Entity’s untimely submission of its license renewal applications for that period; and

WHEREAS, upon the Entity’s petition to the New Jersey Division of Alcoholic Beverage Control (“ABC”), the ABC Director issued two Special Rulings dated August 5, 2014 (“Special Rulings”) which authorized the Township to consider the renewal of the Entity’s Licenses for 2012-2013 pursuant to the authority granted under *N.J.S.A. 33:1-12.18* and *N.J.S.A. 33:1-12.39*, despite the Entity’s failure to timely renew its Licenses for 2012-2013; and

WHEREAS, the Township has subsequently rescinded Resolution R.765-112012 and the improper renewal of the Licenses for 2012-2013 granted thereunder; and

WHEREAS, the Entity has re-applied to the Township to renew the Licenses expiring on June 30, 2012 and paid the proper application fees to the Township and ABC therefor, and no legally valid objections have been made as to why these applications should not be approved; and

WHEREAS, the Township desires to grant and renew the Entity’s Licenses for 2012-2013 pursuant to the authority of *N.J.S.A. 33:1-12.18* and *N.J.S.A. 33:1-12.39*, as authorized by the Special Rulings.

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

1. Plenary Retail Consumption Licenses 1205-33-015-014 and 1205-33-030-004 held by Edison Land Investment, LLC and expired as of June 30, 2012 are hereby granted and renewed for 2012-2013, effective as of the date of this Resolution.

2. This Resolution shall take effect immediately.

EXPLANATION: A Resolution renewing the two plenary retail consumption licenses of Edison Land Investment, LLC for year 2013-2014 pursuant to Special Rulings of the New Jersey Division of Alcoholic Beverage Control.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, application was made to the Township of Edison (“Edison”) by Edison Land Investment, LLC (“Entity”) for the renewal of its two plenary retail consumption liquor licenses, license numbers 1205-33-015-014 and 1205-33-030-004 (collectively, the “Licenses”) for year 2013-2014; and

WHEREAS, the Township renewed the Entity’s Licenses for 2013-2014 through the adoption of Resolution R.341-062013 adopted on June 12, 2013, despite the Entity’s failure to properly renew the Licenses for 2012-2013; and

WHEREAS, upon the Entity’s petition to the New Jersey Division of Alcoholic Beverage Control (“ABC”), the ABC Director issued two Special Rulings dated August 5, 2014 (“Special Rulings”) which authorized the Township to consider the renewal of the Entity’s Licenses for 2013-2014 pursuant to the authority granted under *N.J.S.A. 33:1-12.39*, despite the Entity’s failure to properly renew its Licenses for 2012-2013; and

WHEREAS, the Township has subsequently rescinded Resolution R.341-062013, in part, to rescind the improper renewal of the Entity’s Licenses for 2013-2014 granted thereunder; and

WHEREAS, the Entity has re-applied to the Township to renew the Licenses for 2013-2014 and paid the proper application fees to the Township and ABC therefor, and no legally valid objections have been made as to why these applications should not be approved; and

WHEREAS, the Township desires to grant and renew the Entity’s Licenses for 2013-2014 pursuant to the authority of *N.J.S.A. 33:1-12.39*, as authorized by the Special Rulings.

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

1. Plenary Retail Consumption Licenses 1205-33-015-014 and 1205-33-030-004 held by Edison Land Investment, LLC and expired as of June 30, 2012 are hereby granted and renewed for 2013-2014, effective as of the date of this Resolution.

2. This Resolution shall take effect immediately.

EXPLANATION: A Resolution renewing the two plenary retail consumption licenses of Edison Land Investment, LLC for year 2014-2015 pursuant to Special Rulings of the New Jersey Division of Alcoholic Beverage Control.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, application was made to the Township of Edison (“Edison”) by Edison Land Investment, LLC (“Entity”) for the renewal of its two plenary retail consumption liquor licenses, license numbers 1205-33-015-014 and 1205-33-030-004 (collectively, the “Licenses”) for year 2014-2015; and

WHEREAS, upon the Entity’s petition to the New Jersey Division of Alcoholic Beverage Control (“ABC”), the ABC Director issued two Special Rulings dated August 5, 2014 (“Special Rulings”) which authorized the Entity’s submission of license renewal applications to the Township with respect to the Licenses, pursuant to the authority granted under *N.J.S.A. 33:1-12.13* and *N.J.S.A. 33:1-12.39*; and

WHEREAS, the Entity has timely re-applied to renew the Licenses expiring on June 30, 2014 and paid the proper application fees to the Township and ABC therefor, and no legally valid objections have been made as to why these applications should not be approved; and

WHEREAS, the Township desires to grant and renew the Entity’s Licenses for 2014-2015 pursuant to the authority of *N.J.S.A. 33:1-12.13* and *N.J.S.A. 33:1-12.39*, as authorized by the Special Rulings.

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

1. Plenary Retail Consumption Licenses 1205-33-015-014 and 1205-33-030-004 held by Edison Land Investment, LLC and expired as of June 30, 2014 are hereby granted and renewed for 2014-2015, effective as of July 1, 2014.
2. This Resolution shall take effect immediately.

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.

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

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.

