

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday March 10, 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. Combined Meeting of December 23, 2013
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of Contract/Purchase Order for the furnishing of Cellular Phone Services and Wireless Cards.
 - b. Resolution authorizing additional funds for the furnishing of Automotive Parts and accessories.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 6, 2014
 - b. Resolution authorizing refund in the amount of \$114,973.95 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$36,373.66.
 - d. Resolution authorizing refund of sewer tax overpayments, totaling \$170.06.
 - e. Temporary Emergency Appropriation.
10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution accepting a Grant in the amount of \$10,000.00 from H-Mart Companies to support Edison Municipal Alliance programming in Edison Schools.
11. **FROM THE DEPARTMENT OF LAW:**

- a. Ordinance amends the Edison Township Code to clarify that on-street parking may be temporarily suspended Township-wide in the event of an emergency due to snow-covered streets, to allow time for snowplowing.
 - b. Ordinance amends the Edison Township Code to establish a set fine schedule for the failure to remove snow and ice from sidewalks and streets.
 - c. Ordinance amends the Edison Township Code to increase the dollar amount for which the Business Administrator may contract of goods or services with the necessity of obtaining Municipal Council approval and clarifies when competitive quotes must to be obtained.
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution approving the Fiscal Year 2014 Community Development Block Grant Program and the filing of the Fiscal Year 2014 Consolidated Annual Action Plan.
 - b. Award of Public Bid No. 14-25-01 for the 2014 CDBG Curb and Sidewalk Replacement program for various streets.
 - c. Resolution refunding of a Tree Maintenance Bond.
 - d. Resolution refunding of a Construction Permit Fee where inspections services were not performed.
 - e. Resolution Releasing of Maintenance Bond.
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Awarding State Contract/Purchase Order for the Furnishing of Industrial, Janitorial and Hardware supplies for the Township.
 - b. Award of Contract for Public Bid No. 14-08-31 Overhead Door Repairs.
 - c. Awarding of a One Year Renewal Contract for Public Bid No. 13-04-15 – Pavement Milling and Task Coating.
 - d. Awarding of Contract for Public Bid No. 14-08-21 Automated Refuse Collection Parts.
 - e. Awarding of Contract for Pubic Bid No. 14-08-23 Fire Alarm Inspection and Maintenance Services for the Township.
 - f. Awarding Contract for Pubic Bid No. 14-08-25 – Sewer Pump Rentals
 - g. Resolution rejecting all bids for Roof Installation – Edison Parks Garage.
14. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution authorizing a refund for Teen Center Program.
15. **FROM THE TOWNSHIP CLERK:**

- a. Resolution authorizing a Person to Person & Place to Place transfer of Plenary Retail Consumption Liquor License.

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

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

O.1856-2014 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO SET THE PRESCRIBED FEE PENALTIES FOR FAILURE TO LICENSE DOGS AND CATS.

O.1857-2014 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO INCREASE FEES FOR THE RE-OCCUPANCY INSPECTION(S) OF RENTAL APARTMENT UNITS.

18. **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. Resolution calls on the New Jersey Legislature to make permanent 2% cap.

Councilmember Diehl

NONE

Councilmember Gomez

NONE

Councilmember Lombardi

NONE

Councilmember Mascola

NONE

Councilmember Prasad

NONE

Councilmember Shah

NONE

19. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 6, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through March 6, 2014

FUND	AMOUNT
Current	\$10,753,862.63
Affordable Housing	3,446.25
Capital	3,395.00
Cash Performance	108,010.55
CDBG	71,638.83
Developers Escrow	12,617.70
Dog (Animal Control)	12,362.92
Federal Forfeited	0.00
Grant Funds	45,410.21
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	57,493.90
Sanitation Fund	155,153.26
Sewer Utility	38,878.26
Tax Sale Redemption	550,175.66
Water Operation Fund	0.00
Tree Planting	0.00
Trust	0.00
 TOTAL	 \$11,812.455.17

/s/ Janice Saponaro
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 AWARDING CONTRACT/PURCHASE ORDER(S) TO VERIZON WIRELESS FOR THE
FURNISHING OF CELLULAR PHONE SERVICES AND WIRELESS CARDS**

WHEREAS, there is a need to purchase cellular phone services and wireless cards for the Township of Edison; and

WHEREAS, VERIZON WIRELESS, One Verizon Way, Basking Ridge, NJ 07920 has been awarded State Contract Number 82583 under T-216A/Wireless Devices and Services; 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 for a twelve month period, not to exceed \$125,000.00, 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(s) in the amount not to exceed \$125,000.00 and any other necessary documents, with VERIZON WIRELESS, One Verizon Way, Basking Ridge, NJ 07920, 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. 82583 under T-216A.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING
OF AUTOMOTIVE PARTS AND ACCESSORIES WITH LINDEN
ASSOCIATED AUTO PARTS INCORPORATED IN AN AMOUNT NOT
TO EXCEED \$20,000.00**

WHEREAS, LINDEN ASSOCIATED AUTO PARTS INCORPORATED, was awarded Contract No. 13-03-10 Automotive Parts and Accessories through Resolution R. 595-102013 for the period November 14, 2013 to November 13, 2014 in the amount of \$17,500.00 and that amount has been depleted; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$20,000.00 to replenish and complete the one year term of the contract with LINDEN ASSOCIATED AUTO PARTS 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 this contract, not to exceed \$20,000.00, cannot be encumbered at this time; and

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

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

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

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 \$20,000.00, and any other necessary documents, with LINDEN ASSOCIATED AUTO PARTS INCORPORATED 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 \$ **114,973.95**.

March 12, 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 \$36,373.66 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.

March 12, 2014

RESOLUTION

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

Whereas, applications have been made to the Tax Collector for refund of said overpayments, totaling \$170.06 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.

February 26, 2014

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-19, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made prior to the adoption of budget; and

WHEREAS, it is imperative for the operation of Public Works Department to meet snow related expenses due to repeated storms and to meet Township health insurance and other needs; and

WHEREAS, the date of this Resolution is prior to the adoption of the CY 2014 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.

TEMPORARY BUDGET APPROPRIATIONS

Current Fund	2014
Employee Group Health Insurance	2,000,000.00
Street & Roads-Materials & Supplies	20,000.00
Street & Roads-Motor Vehicle Parts	10,000.00
Fire Fighting-Maintenance of Other Equipment	10,000.00
Fire Fighting-Office Supplies	7,400.00

**RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$10,000
FROM H-MART COMPANIES TO SUPPORT EDISON MUNICIPAL
ALLIANCE PROGRAMMING IN EDISON SCHOOLS**

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$10,000 from H-Mart Companies; and

WHEREAS, the Edison Municipal Alliance is desirous of accepting those grant funds to provide programming to address racism, prejudice, bullying, respect and tolerance in the Edison Schools :and

WHEREAS, these programs will have a significant benefit to adolescent and juvenile students of Edison; and

WHEREAS, no matching funds are required to accept this grant award;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$10,000, and that the Mayor, or her designee is hereby authorized to execute any and all documents with respect to this grant described herein.

Explanation: This Ordinance amends the Edison Township Code to clarify that on-street parking may be temporarily suspended Township-wide in the event of an emergency due to snow-covered streets, to allow time for snowplowing.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to provide that on-street parking may be temporarily suspended Township-wide in the event of an emergency due to snow-covered streets; and

WHEREAS, the Code at Chapter 7, Subchapter 10(a) currently provides on-street parking may be temporarily suspended on certain streets when streets are snow-covered, but fails to identify any specific streets; and

WHEREAS, the Municipal Council seeks to amend the Code to provide that on-street parking on all streets in the Township may be temporarily suspended in order to allow for an opportunity to snowplow the streets; and

WHEREAS, the Municipal Council has determined to amend Chapter 7, Subchapter 10(a) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“a. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist and no vehicles shall be parked on [the following] public streets or highways [or portions thereof listed below] within the boundaries of Edison Township.

The parking prohibitions listed [below] above shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently, and to the extent that parking will not interfere with the normal flow of traffic.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 7, Subchapter 10(a) of the Code to read as follows:

“a. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist and no vehicles shall be parked on public streets or highways within the boundaries of Edison Township.

The parking prohibitions listed above shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently, and to the extent that parking will not interfere with the normal flow of traffic.”

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 7 of the Code

shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the temporary suspension of on-street parking in the event of an emergency due to snow-covered and unplowed streets heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

Explanation: This Ordinance amends the Edison Township Code to establish a set fine schedule for the failure to remove snow and ice from sidewalks and streets.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to establish set fines for the failure to observe local ordinance and remove snow and ice from sidewalks, streets and parking areas, as applicable; and

WHEREAS, the Code at Chapter 19, Subchapter 2.5 currently requires a municipal court appearance and the payment of a monetary penalty at the discretion of the municipal court for violations of the Code provisions requiring snow and ice removal; and

WHEREAS, the Municipal Council seeks to amend the Code to not require violators to appear in court and establish a set fine schedule for the failure to remove snow and ice; and

WHEREAS, the Municipal Council has determined to amend Chapter 19, Subchapter 2.5 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“19-2.5 Violations; Penalties.

Any person, firm or corporation violating any of the provisions of this section shall [, upon conviction thereof,] be liable to a fine of fifty (\$50.00) dollars for a first offense, one hundred (\$100.00) dollars for a second offense and two hundred (\$200.00) dollars for any subsequent offense [the penalty stated in Chapter I, Section 1-5, and]_ [e]Each and every day in which said violation exists shall constitute a separate violation. (1999 Code § 12.08.050; New)”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 19, Subchapter 2.5 of the Code to read as follows:

“19-2.5 Violations; Penalties.

Any person, firm or corporation violating any of the provisions of this section shall be liable to a fine of fifty (\$50.00) dollars for a first offense, one hundred (\$100.00) dollars for a second offense and two hundred (\$200.00) dollars for any subsequent offense. Each and every day in which said violation exists shall constitute a separate violation. (1999 Code § 12.08.050; New)”

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 19 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing snow and ice removal heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

Explanation: This Ordinance amends the Edison Township Code to increase the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval and clarifies when competitive quotes must be obtained.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Business Administrator of the Township (“Business Administrator”) is the designated ‘contracting agent’ of the Township as defined under *N.J.S.A. 40A:11-2* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“Local Contracts Law”); and

WHEREAS, the Municipal Council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to increase the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval and clarify as to when competitive quotes must be obtained; and

WHEREAS, the Code at Chapter 2, Subchapter 24.3(b) and (c) currently provides (1) that any contract entered by the Business Administrator for goods or services equal to or in excess of five thousand (\$5,000.00) shall require the approval of the Municipal Council and (2) that competitive or verbal quotes must be obtained in instances where public bidding is not required; and

WHEREAS, the Municipal Council seeks to amend the Code to provide (1) that only contracts entered by the Business Administrator equal to or in excess of seventeen thousand five hundred (\$17,500.00) shall require the approval of the Municipal Council and (2) that competitive quotes shall be obtained only to the extent practical, in instances where public bidding is not required, in accordance with the terms of the Local Contracts Law; and

WHEREAS, the Municipal Council has determined to amend Chapter 2, Subchapter 24.3(b) and (c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“b. In accordance with *N.J.S.A. 40A:11-2(3)* the Business Administrator is hereby designated as the Contracting Agent for the Township of Edison. Except as detailed in paragraph c. below with respect to proposed services and all extraordinary unspecifiable services, as contracting agent for the Township, the Business Administrator may enter into contracts on behalf of the Township for the performance of any work, or the furnishing of any materials or supplies, the total cost of which is less than seventeen [five] thousand five hundred (\$[5]17,[0]500.00) dollars. Any contract equal to or in excess of seventeen [five] thousand five hundred (\$[5]17,[0]500.00) dollars shall require the approval of the Township Council. The Contracting Agent may also authorize the refund of any license, permit or program fee, established by this Code, which has been paid in error. For any contract, which in the aggregate, is [less] equal to or more than fifteen percent (15%) of the bid threshold established by the Local Contracts Law, [but equal to or more than four thousand three hundred fifty (\$4,350.00) dollars,] the Contracting Agent or his designee shall solicit at least two (2) competitive written quotes in accordance with the provisions of *N.J.S.A. 40A:11-6.1*. [For any purchase less than four thousand three hundred fifty (\$4,350.00) dollars but more than five hundred (\$500.00) dollars, the Contracting Agent or his designee shall solicit verbal quotes.]

c. Notwithstanding the foregoing, all professional services and all extraordinary unspecifiable services as defined in the *N.J.S.A. 40A:11-1 et seq.*, shall be subject to receipt of at least two (2) and preferably three (3) quotations when the cost of the professional service or extraordinary unspecifiable service is estimated to exceed five thousand (\$5,000.00) dollars, if practicable.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 2, Subchapter 24.3(b) and (c) of the Code to read as follows:

“b. In accordance with *N.J.S.A. 40A:11-2(3)* the Business Administrator is hereby designated as the Contracting Agent for the Township of Edison. Except as detailed in paragraph c. below with respect to proposed services and all extraordinary unspecifiable services, as contracting agent for the Township, the Business Administrator may enter into contracts on behalf of the Township for the performance of any work, or the furnishing of any materials or supplies, the total cost of which is less than seventeen thousand five hundred (\$17,500.00) dollars. Any contract equal to or in excess of seventeen thousand five hundred (\$17,500.00) dollars shall require the approval of the Township Council. The Contracting Agent may also authorize the refund of any license, permit or program fee, established by this Code, which has been paid in error. For any contract, which in the aggregate, is equal to or more than fifteen percent (15%) of the bid threshold established by the Local Contracts Law, the Contracting Agent or his designee shall solicit at least two (2) competitive written quotes in accordance with the provisions of *N.J.S.A. 40A:11-6.1*.

c. Notwithstanding the foregoing, all professional services and all extraordinary unspecifiable services as defined in the *N.J.S.A. 40A:11-1 et seq.*, shall be subject to receipt of at least two (2) and preferably three (3) quotations when the cost of the professional service or extraordinary unspecifiable service is estimated to exceed five thousand (\$5,000.00) dollars, if practicable.”

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 2 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the dollar amount for which the Business Administrator may contract for goods or services without the necessity of obtaining Municipal Council approval, and/or the extent to which competitive quotes must be obtained, heretofore enacted and inconsistent herewith, are hereby modified pursuant to the terms of this Ordinance.

6. 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.

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

8. 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: With this resolution, the Township Council approves the receipt of the FY2014 Community Development Block Grant in the estimated amount of \$521,842 and approves the projects and activities funded by this grant.

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 FISCAL YEAR 2014 CONSOLIDATED ANNUAL ACTION PLAN

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

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2014 Community Development Block Grant in the amount of Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842);

WHEREAS, the Township can budget a total of Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842) 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 application for Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842), 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 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 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.

EXPLANATION: RESOLUTION OF AWARD OF PUBLIC BID NO. 14-25-01 FOR THE 2014 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM, FOR VARIOUS STREETS, TOWNSHIP OF EDISON, MIDDLESEX COUNTY, NJ.

**TOWNSHIP OF EDISON
RESOLUTION**

WHEREAS, the Township of Edison desires to replace certain curb and sidewalk sections and install barrier-free curb ramps in the designated Census Tract 18.04, Census Block 2, in the Township of Edison, said improvements funded through the Community Development Block Grant, and under the 2014 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, NJ; and

WHEREAS, the Edison Township Engineer has prepared bid documents for the 2014 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, with primary emphasis on Garden Terrace, Gurley Road, and Melville Road; and

WHEREAS, nine (9) sealed bids for Public Bid No. 14-25-01, 2014 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, NJ, were received by and opened on Wednesday, February 19, 2014, at 11:00 am; and

WHEREAS, A Team Concrete Inc., 104 George Street, South River, NJ 08882 (phone # 732-558-9156), is the low bidder, with a base bid, and total bid, of \$243,158.75; and

WHEREAS, the Edison Township Engineer has reviewed the bids with the CDBG Coordinator and the Township Engineer has recommended award of a contract to the low bidder, A Team Concrete Inc., 104 George Street, South River, NJ 08882, at the base bid amount, and total bid amount not to exceed \$243,158.75;

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a construction contract be awarded to A Team Concrete Inc., 104 George Street, South River, NJ 08882, at a total amount not to exceed \$243,158.75, for Public Bid No. 14-25-01, 2014 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, New Jersey.

CFO CERTIFICATION OF FUNDS:

I hereby certify that funding in the total amount of \$243,158.75 for the above public construction contract is available under account number T-14-12-0520-000-001.

Janice Saponaro,
Chief Financial Officer

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Pagoda Homes LLC on Established Site Plan Tree Plantings at 42 Hillsdale Road under Tree Permit No. 11-018.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on September 28, 2011, Pagoda Homes LLC posted Tree Maintenance Bond fees in the amount of \$75.00 on deposit with the Township of Edison in account #7761963508 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit #11-018 for property located at 42 Hillsdale Road; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that Tree Maintenance Bond refund in the amount \$75.00, plus accrued interest, if applicable, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$75.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$75.00, plus accrued interest, if applicable, on deposit in Account #7761963508 to Pagoda Homes LLC having an address of 37 Manor Blvd., Edison, N.J. 08820

S:Eng-TreeMaintBondRefundReso-#11-018Pagodahomesllc-42Hillsdale Rd.

EXPLANATION: This resolution provides for refund of construction permit fee, less the DCA fee, posted for a residential construction permit where inspection services were not performed.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on November 12, 2013, a Construction (Building) Permit fee, check #006402, permit #2013-4916, was posted in the total amount of \$77.00 by the contractor, A-1 Affordable Construction, Inc., having offices at 139 Ackerman Avenue, Suite 1, Clifton, NJ 07011; and

WHEREAS, the application was submitted in error to the wrong town; and

WHEREAS, appropriate documents have been submitted to the Township indicating the permit was mailed to the wrong town; and

WHEREAS, it is therefore appropriate that the municipal permit fee in the amount of \$75.00, derived from the \$77.00 total construction permit fee less the \$2.00 DCA fee for permit #2013-4916, be refunded to the contractor, A-1 Affordable Construction, Inc.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2013-4916, in the amount of \$75.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 on construction permit fees posted by A-1 Affordable Construction, Inc. 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 \$75.00 from the Refund of Revenue Fund to the contractor, A-1 Affordable Construction, Inc., 139 Ackerman Avenue, Suite 1, Clifton, NJ 07011.

JAM/ca

G-Code-Refund of Revenue-A-1 Affordable Construction

EXPLANATION: Release of Maintenance Bond posted for BPG Hotel XXIII Owner LLC, for site plan improvements at Raritan Center Parkway & Fieldcrest Ave.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of BPG Hotel XXIII Owner LLC, located in Block 390-D, and Lots 14 & 15, under Application # P56-07/08, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on July 13, 2009 the applicant posted a Maintenance Bond #BSBDS0238 in the amount of \$37,177.11, with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Maintenance Bond #BSBDS0238 in the amount of \$37,177.11, principal being BPG Hotel XXIII Owner LLC having offices at 322 A Street, Wilmington, DE 19801 and acceptance of the subject improvements;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond in the amount of \$37,177.11, to the applicant.

RESOLUTION AWARDING STATE CONTRACT/PURCHASE ORDER(S) TO LOWES HOME CENTERS LLC FOR THE FURNISHING OF INDUSTRIAL, JANITORIAL AND HARDWARE SUPPLIES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase industrial, janitorial and hardware supplies for the Township of Edison; and

WHEREAS, LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro NC 28697, has been awarded State Contract Number 82951 under M-8001/Walk-In Building Supplies; 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 \$25,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$25,000.00 and any other necessary documents, with LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro, NC 28697 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. 82951/M-8001.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NEW JERSEY OVERHEAD DOOR
FOR OVERHEAD DOOR REPAIRS**

WHEREAS, bids were received by the Township of Edison on February 11, 2014 for Public Bid No. 14-08-31, Overhead Door Repairs, for the Department of Public Works; and

WHEREAS, NEW JERSEY OVERHEAD DOOR, 14 Valley Road, Manalapan, NJ 07726, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, 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 NEW JERSEY OVERHEAD DOOR, 14 Valley Road, Manalapan, NJ 07726 for Overhead Door Repairs 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 \$35,000.00, and any other necessary documents, with NEW JERSEY OVERHEAD DOOR, as described herein.

**RESOLUTION AWARDING A ONE YEAR RENEWAL CONTRACT TO STILO EXCAVATION
INCORPORATED FOR PAVEMENT MILLING AND TACK COATING**

WHEREAS, bids were received on March 21, 2013 for Public Bid No.13-04-15- Pavement Milling and Tack Coating for the Department of Public Works; and

WHEREAS, R.201-042013 dated April 10, 2013 authorized the first year contract with STILO EXCAVATION INCORPORATED, 2907 So. Clinton Ave., South Plainfield, NJ 07080 which expires April 21, 2014; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the period of April 22, 2014 to April 21, 2015; and

WHEREAS, the total amount of this contract, not to exceed \$184,000.00, 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 Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract with STILO EXCAVATION INCORPORATED, 2907 So. Clinton Ave., South Plainfield, NJ 07080 for the contract period of April 22, 2014 to April 21, 2015 in the amount not to exceed \$184,000.00.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO THC ENTERPRISES, INC. T/A MID-ATLANTIC WASTE SYSTEMS FOR AUTOMATED REFUSE COLLECTION PARTS

WHEREAS, bids were received by the Township of Edison on February 11, 2014 for Public Bid No. 14-08-21, Automated Refuse Collection Parts, for the Department of Public Works; and

WHEREAS, THC ENTERPRISES, INC. T/A MID-ATLANTIC WASTE SYSTEMS, 3011 West Second Street, Chester, PA 19013 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, 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 THC ENTERPRISES, INC. T/A MID-ATLANTIC WASTE SYSTEMS, 3011 West Second Street, Chester, PA 19013 for Automated Refuse Collection Parts 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 \$35,000.00, and any other necessary documents, with THC ENTERPRISES, INC. T/A MID-ATLANTIC WASTE SYSTEMS as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CITY FIRE EQUIPMENT CO. FOR
FIRE ALARM INSPECTION AND MAINTENANCE SERVICES**

WHEREAS, bids were received by the Township of Edison on February 14, 2014 for Public Bid No.14-08-23, Fire Alarm Inspection and Maintenance Services for the Township of Edison; and

WHEREAS, CITY FIRE EQUIPMENT CO., 733 Ridgedale Ave E, East Hanover, NJ 07936, submitted the lowest legally responsible, responsive bid; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by CITY FIRE EQUIPMENT CO., 733 Ridgedale Ave E, East Hanover, NJ 07936 for Fire Alarm Inspection and Maintenance 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 \$20,000.00 and any other necessary documents with CITY FIRE EQUIPMENT CO. as described herein.

RESOLUTION REJECTING ALL BIDS FOR ROOF INSTALLATION-EDISON PARKS GARAGE

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on November 15, 2013, for Public Bid No. 13-11-06, ROOF INSTALLATION-EDISON PARKS GARAGE with a bid opening date of December 12, 2013; and

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

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

1. The bids for Public Bid No. 13-11-06, ROOF INSTALLATION-EDISON PARKS GARAGE are hereby rejected pursuant to N.J.S.A 40A:11-13.2d .
2. The Purchasing Agent is hereby authorized to rebid said project at a later date.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
VIPIN DWIVEDI FOR THE TEEN CENTER PROGRAM**

WHEREAS Vipin Dwivedi made payment in the amount of \$10.00 for his child Ishan Dwivedi's participation in the Teen Center Program; and

WHEREAS Ishan Dwivedi is too young for the Teen Center Program.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$10.00 to Vipin Dwivedi, 155 Jeremy Ct., Edison, NJ 08817, which amount represents the registration fee for a third class.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$10.00 are available in Account #3-01-55-0291-000-000.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION

WHEREAS, an application has been filed for a Person-to-Person & Place-to-Place Transfer of Plenary Retail Consumption Liquor License #1205-33-007-003, to The DK Family, Inc, t/a The Edison Diner, to be located at 101 Route 1, Edison, NJ, 08817 heretofore issued to Green Derby, Inc, formerly trading as Green Derby, located at 2024 Woodbridge Avenue, Edison, NJ 08817,

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT RESOLVED that the Edison Township Governing Body does hereby approve, effective March 12, 2014, the transfer of the aforesaid Plenary Retail Consumption License to The DK Family, Inc, t/a The Edison Diner, for premises located at 101 Route 1, Edison, NJ 08817 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to The DK Family, Inc, effective March 13, 2014."

New License #1205-33-007-004

Explanation: This Ordinance amends the Edison Township Code to set the prescribed fee penalties for failure to license dogs and cats.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Municipal Council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to set the fee penalties for the failure to license dogs and cats within the Township; and

WHEREAS, the Code at Chapter 9, Subsection 2.7 currently provides for a range of monetary penalty for a violation of the Code as to the licensing of dogs; and

WHEREAS, the Municipal Council seeks to amend the Code to definitively set the monetary penalty for a violation of the Code as to the licensing of dogs and establish the procedure for satisfying such a Code violation; and

WHEREAS, the Municipal Council has determined to amend Subsection 9-2.7 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“Violations and Penalties. Any person who violates or who fails or refuses to comply with this section shall be liable to a penalty of [not less than five (\$5.00) dollars nor more than] fifty (\$50.00) dollars for each offense [, except that for the first offense in cases of violations of subsection 9-2.1, 9-2.2 and 9-2.6, the penalty shall be not less than one (\$1.00) dollar nor more than fifty (\$50.00) dollars]. Appearance before a Municipal Court Judge will not be required unless specified and duly noted on the summons. A violator may plead guilty and pay any penalty in person or by mail. (N.J.S.A. 4:19-15.19)”

WHEREAS, the Code at Chapter 9, currently does not provide a monetary penalty for a violation of the Code as to the licensing of cats; and

WHEREAS, the Municipal Council seeks to amend the Code to establish a monetary penalty for a violation of the Code as to the licensing of cats and the procedure for satisfying such a Code violation; and

WHEREAS, the Municipal Council has determined to adopt a new Subsection 9-8.14 to the Code to read as follows:

“Violations and Penalties. Any person who violates or who fails or refuses to comply with this section shall be liable to a penalty of fifty (\$50.00) dollars for each offense. Appearance before a Municipal Court Judge will not be required unless specified and duly noted on the summons. A violator may plead guilty and pay any penalty in person or by mail.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 Subsection 9-2.7 of the Code to read as follows:

“Violations and Penalties. Any person who violates or who fails or refuses to comply with this section shall be liable to a penalty of fifty (\$50.00) dollars for each offense. Appearance before a Municipal Court Judge will not be required

unless specified and duly noted on the summons. A violator may plead guilty and pay any penalty in person or by mail. (N.J.S.A. 4:19-15.19)”

3. The Municipal Council hereby adopts new Subsection 9-8.14 to the Code to read as follows:

“Violations and Penalties. Any person who violates or who fails or refuses to comply with this section shall be liable to a penalty of fifty (\$50.00) dollars for each offense. Appearance before a Municipal Court Judge will not be required unless specified and duly noted on the summons. A violator may plead guilty and pay any penalty in person or by mail.”

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 9 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the licensing of dogs and cats heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

Explanation: This Ordinance amends the Edison Township Code to increase fees for the re-occupancy inspection(s) of rental apartment units.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Municipal Council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to increase fees for re-occupancy inspections of rental dwelling units within the Township; and

WHEREAS, the Code at Chapter 17, Subsection 1.11 currently provides that a charge of \$50.00 shall be required at the time a re-occupancy inspection is requested for any residential rental dwelling unit, and that a charge of \$75.00 shall be paid prior to each re-occupancy re-inspection; and

WHEREAS, the Municipal Council seeks to amend the Code to increase the re-occupancy inspection fee to \$75.00 and the re-occupancy re-inspection fee to \$100.00; and

WHEREAS, the Municipal Council has determined to amend Subsection 17-1.11(c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“Required Notice and Fees for Inspection and Re-inspection. Requests for inspection shall be made to and upon forms provided by the Division of Health at least seven (7) business days prior to the expected date of re-occupancy of the building. A charge of [fifty] seventy-five (\$[50]75.00) dollars shall be paid by the landlord responsible for renting the dwelling unit at the time a re-occupancy inspection is requested. Any violation emanating from the failure of any person to apply for a certificate of approval shall not be subject to appeal under the provisions of subsection 17-1.12, but shall only be heard in Municipal Court. An additional charge of [seventy-five] one hundred (\$[75]100.00) dollars shall be paid prior to each mandated re-inspection until a certificate of approval is issued for the dwelling unit. All charges for re-inspection shall be payable solely by the landlord.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 Subsection 17-1.11(c) of the Code to read as follows:

“Required Notice and Fees for Inspection and Re-inspection. Requests for inspection shall be made to and upon forms provided by the Division of Health at least seven (7) business days prior to the expected date of re-occupancy of the building. A charge of seventy-five (\$75.00) dollars shall be paid by the person responsible for renting the dwelling unit at the time a re-occupancy inspection is requested. Any violation emanating from the failure of any person to apply for a certificate of approval shall not be subject to appeal under the provisions of subsection 17-1.12, but shall only be heard in Municipal Court. An additional charge of one hundred (\$100.00) dollars shall be paid prior to each mandated re-inspection until a certificate of approval is issued for the dwelling unit. All charges for re-inspection shall be payable solely by the landlord.”

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 17 of the Code

shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing re-occupancy inspections and re-inspections 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: This Ordinance amends the Edison Township Code to increase fees for the re-occupancy inspection(s) of rental apartment units.

ORDINANCE

WHEREAS, the Township of Edison (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Municipal Council (“Municipal Council”) of the Township has determined to amend the Edison Township Code (“Code”) to increase fees for re-occupancy inspections of rental dwelling units within the Township; and

WHEREAS, the Code at Chapter 17, Subsection 1.11 currently provides that a charge of \$50.00 shall be required at the time a re-occupancy inspection is requested for any residential rental dwelling unit, and that a charge of \$75.00 shall be paid prior to each re-occupancy re-inspection; and

WHEREAS, the Municipal Council seeks to amend the Code to increase the re-occupancy inspection fee to \$75.00 and the re-occupancy re-inspection fee to \$100.00; and

WHEREAS, the Municipal Council has determined to amend Subsection 17-1.11(c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“Required Notice and Fees for Inspection and Re-inspection. Requests for inspection shall be made to and upon forms provided by the Division of Health at least seven (7) business days prior to the expected date of re-occupancy of the building. A charge of [fifty] seventy-five (\$[50]75.00) dollars shall be paid by the landlord responsible for renting the dwelling unit at the time a re-occupancy inspection is requested. Any violation emanating from the failure of any person to apply for a certificate of approval shall not be subject to appeal under the provisions of subsection 17-1.12, but shall only be heard in Municipal Court. An additional charge of [seventy-five] one hundred (\$[75]100.00) dollars shall be paid prior to each mandated re-inspection until a certificate of approval is issued for the dwelling unit. All charges for re-inspection shall be payable solely by the landlord.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, Middlesex County, 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 Subsection 17-1.11(c) of the Code to read as follows:

“Required Notice and Fees for Inspection and Re-inspection. Requests for inspection shall be made to and upon forms provided by the Division of Health at least seven (7) business days prior to the expected date of re-occupancy of the building. A charge of seventy-five (\$75.00) dollars shall be paid by the person responsible for renting the dwelling unit at the time a re-occupancy inspection is requested. Any violation emanating from the failure of any person to apply for a certificate of approval shall not be subject to appeal under the provisions of subsection 17-1.12, but shall only be heard in Municipal Court. An additional charge of one hundred (\$100.00) dollars shall be paid prior to each mandated re-inspection until a certificate of approval is issued for the dwelling unit. All charges for re-inspection shall be payable solely by the landlord.”

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 17 of the Code

shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing re-occupancy inspections and re-inspections 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.