

**MINUTES OF A REGULAR MEETING  
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

**May 13, 2015**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, May 13, 2015. The meeting was called to order at 7:04 p.m. by Council Vice President Shah, followed by the Pledge of Allegiance.

Present were Councilmembers, Gomez, Karabinchak, Lombardi, Mascola, Prasad and Shah. Councilmember Diehl entered at 7:19 p.m.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Nee, Business Administrator Ruane, Health Director Elliot, Township Engineer Kataryniak, Recreation Director Halliwell, Police Chief Bryan, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that 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 11, 2014, and posted in the Main Lobby of the Municipal Complex on the same date.

**APPROVAL OF MINUTES:**

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, and duly carried, the Minutes of the Regular Meeting of March 25, April, 8 & 22, 2015; Worksession Meeting of April 20, 2015; and Closed Session Meeting of April 22, 2015 were accepted as submitted.

Councilmember Lombardi abstained from April 20 & 22 minutes.

**COUNCIL PRESIDENT'S REMARKS:**

Council Vice President Shah said we will be adding Resolution R.319-052015 to the consent agenda.

Councilmember Lombardi explained that this is an agreement for the County to re-pave Woodland Avenue which is in dire need and needs to be done before the Barclay's begins this summer. He said South Plainfield has already signed the same agreement.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez to add Resolution R.319-032015 to the Consent Agenda.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, and Council Vice President Shah.

NAYS - None  
Councilmember Diehl was absent.

**RESOLUTION OF RECOGNITION:**

**RESOLUTION R.272-052015**

**WHEREAS**, Joseph Caiola contributed to the local community by generously volunteering his time to head the Edison Township Youth Basketball organization ("ETYB"), which provides the opportunity for over 700 participants ages 5 through 18 to play recreation and travel team basketball; and

**WHEREAS**, Joe was born in Newark, New Jersey in 1957 and raised with a passion for sports; and

**WHEREAS**, Joe earned two degrees from the New Jersey Institute of Technology ("NJIT") and while there was a two-year member of the men's basketball team, whereby his career high 50 points against Concordia (NY) remains as the sixth highest scoring point total on school record; and

**WHEREAS**, upon graduation, Joe embarked on careers in marketing and management, and later as a residential developer, all the while maintaining his strong interest in sports; and

**WHEREAS**, Joe became a part-time coach in boys basketball in the mid-1990s; and

**WHEREAS**, subsequently, Joe returned to NJIT as an assistant men's basketball coach in 1997, and soon added responsibilities as Assistant Director of Athletics, and ultimately spent 17 years with NJIT as the longest tenured employee of the athletics department among administrators and coaches; and

**WHEREAS**, during the time he worked at NJIT, Joe was active in youth basketball and baseball in the Township of Edison, his hometown for the last 29 years of his life; and

**WHEREAS**, from 2000 to 2005, Joe was the President of the ETYB, where his leadership, enthusiasm, innovations and imagination were instrumental in the continued success of the program; and

**WHEREAS**, the ETYB has established two scholarships for Township high school students (1 male and 1 female) in Joe's name, and in his memory; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the contributions of Joseph Caiola (1957-2014) in improving the lives of local youth through his leadership and commitment to the ETYB and Township recreation programs.

Council Vice President Shah declared the Public Hearing opened for Resolution R.272-052015.

Ralph Errico, 29 Pfalsky Drive, thanked the Council for recognizing Joseph Caiola. He said he was a close friend and a great person, husband and father.

Hearing no further comments, on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez and duly carried, this Public Hearing was closed.

Councilmember Karabinchak said Mr. Caiola always took the time to help the youth of Edison which is very important. He gave back to the citizens's of Edison and touched so many lives with more than just basketball and he thanked him.

Council Vice President Shah presented this Resolution saying that we admire people who take the time out to help others.

Anthony Caiola, youngest son of Mr. Caiola, thanked the Council for this honor saying his father was unselfish and is missed greatly.

Joe Caiola, eldest son of Mr. Caiola, said his father was a special man and had a great effect on the community and thanked the Council for recognizing him.

Joe Dunn, Edison Youth Basketball, presented the family with a plaque from that organization.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi this Resolution was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad and Council Vice President Shah.

NAYS - None  
Council President Diehl was absent.

**RESOLTUION R.273-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Gold Award, the highest award that a Girl Scout may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Nandita Kakar, a twelfth grader at John P. Stevens High School in Edison, of Troop 81637, earned a Girl Scout Gold Award and completed a service project entitled "Helping Hands", consisting of workshops in the local community at which children and adults created medical dolls and contributed to a toy drive for ill children at Bristol-Myers Squibb's Children Hospital; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Nandita Kakar in earning the Girl Scout Gold Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTION R.274-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Gold Award, the highest award that a Girl Scout may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Lauren Tencza, an eleventh grader at John P. Stevens High School in Edison, of Troop 81769, earned a Girl Scout Gold Award and completed a service project entitled "Bird Paradise", whereby she created a bird habitat at the Triple C Ranch and Nature Center in Edison, which was brought to life by the placement of bird houses, planting of fruit trees and berry plants and creation of entrance and walkways, in benefit of local wildlife and nature-lovers; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Lauren Tencza in earning the Girl Scout Gold Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTION R. 275-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Gold Award, the highest award that a Girl Scout may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Kavya Udupa, a twelfth grader at John P. Stevens High School in Edison, of Troop 81637, earned a Girl Scout Gold Award and completed a service project entitled "The Value of Money", whereby she taught local third, fourth and fifth graders in the aftercare programs of each of the Townships' ten elementary schools about monetary concepts and financial responsibility, through the creation of lessons and games addressing the issues of taxes, budgeting and the earning of interest; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Kavya Udupa in earning the Girl Scout Gold Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTUION R.276-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Gold Award, the highest award that a Girl Scout may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Nisha Shankar, a twelfth grader at John P. Stevens High School in Edison, of Troop 81632, earned a Girl Scout Gold Award and completed a service project entitled "A Sign of Friendship", whereby she taught the basics of sign language to children between the ages of six and eleven in the Township community in two sets of workshops, whereat the children learned sign language vocabulary and played games to reinforce the sign language lessons, imparting the importance of communication and teamwork among participants; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Nisha Shankar in earning the Girl Scout Gold Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTION R.277-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Gold Award, the highest award that a Girl Scout may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Breana Tan, an eleventh grader at John P. Stevens High School in Edison, of Troop 80264, earned a Girl Scout Gold Award and completed a service project entitled "Colors of the Wind", whereby she created a cultural club at an afterschool latch-key program for middle school students to raise cultural awareness, whereby the participants learned about different parts of the world and the importance of diversity through the appreciation of music, art, literature and recreation from unique cultures; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Breana Tan in earning the Girl Scout Gold Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTION R.278-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Silver Award, the highest award that a Girl Scout Cadette may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Lisa Marie Furtado, a ninth grader at John P. Stevens High School in Edison, of Troop 81225, earned a Girl Scout Silver Award and completed a service project to support animals and animal appreciation at the Township Animal Shelter, whereby she held a day camp for children at the Minnie B. Veal Community Center to teach them about animals, whereat the children played games and made crafts related to animals, and learned about caring for animals, all while collecting funds and supplies to be donated to the shelter; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Lisa Marie Furtado in earning the Girl Scout Silver Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTION R.279-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Silver Award, the highest award that a Girl Scout Cadette may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Kellan McNee, an eighth grader at Woodrow Wilson Middle School in Edison, of Troop 81225, earned a Girl Scout Silver Award and completed a service project with fellow scout Sarah Zimmer to address the issue of childhood obesity by teaching elementary school children fun ways to increase physical activity, whereby Kellan and Sarah taught dance to first graders at James Madison Elementary School, as inspired and acknowledged by First Lady Michelle Obama and the national Let's Move Project; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Kellan McNee in earning the Girl Scout Silver Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

**RESOLUTUION R.280-052015**

**WHEREAS**, Girl Scouts organizations award the Girl Scout Silver Award, the highest award that a Girl Scout Cadette may earn, to young women upon the completion of certain scouting requirements and a community service project which highlights a young woman's leadership skills, self-development, perseverance and her willingness to strive for excellence; and

**WHEREAS**, Sarah Zimmer, an eighth grader at Woodrow Wilson Middle School in Edison, of Troop 81225, earned a Girl Scout Silver Award and completed a service project with fellow scout Kellan McNee to address the issue of childhood obesity by teaching elementary school children fun ways to increase physical activity, whereby Sarah and Kellan taught dance to first graders at James Madison Elementary School, as inspired and acknowledged by First Lady Michelle Obama and the national Let's Move Project; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS**, the Municipal Council desires to recognize the achievement of Sarah Zimmer in earning the Girl Scout Silver Award, which demonstrates her dedication and commitment to the ideals of scouting and good citizenship.

Council President Diehl declared the Public Hearing opened for Resolutions R.272-052015 through R.280-052015.

Hearing no further comments, on a motion made by Councilmember Karabinchak, seconded by Councilmember Shah and duly carried, this Public Hearing was closed.

These Resolutions will be presented at the Girl Scout Awards dinner. Ms. Russomanno read the names of the recipients.

Councilmember Karabinchak said it takes a lot of commitment to receive the Girl Scout Gold and Silver awards and this says a lot about the recipients. He announced the awards will be presented on May 17<sup>th</sup>.

Council President Diehl said this is a great achievement and he thanked them and said he is very proud of them.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Shah these Resolutions were adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl.

NAYS - None

**APPROVAL OF VOLUNTEER FIREFIGHTERS**

Applications for membership were received by:

Raritan Engine Company #1  
Frank Dalton

Raritan Engine Company #2  
Justin Pickett

A motion was made by Councilmember Karabinchak, seconded by Councilmember Shah, and duly carried, the above applications were approved.

**UNFINISHED BUSINESS**  
**ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinance, which was introduced by Title on April 22, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1901-2015                    AN ORDINANCE AMENDING THE TOWNSHIP CODE TO PROHIBIT PARKING ON BOTH SIDES OF TRUMAN DRIVE SOUTH.**

(The above Ordinance O.1901-2015 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1901-2015.

Hearing no further comments, on a motion made by Councilmember Lombardi, seconded by Councilmember Shah and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, the Ordinance was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl

NAYS - None

The following Ordinance, which was introduced by Title on April 22, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1902-2015                    AN ORDINANCE REVISING THE TOWNSHIP'S CODE OF GENERAL ORDINANCES TO AMEND THE FEE SCHEDULES APPLICABLE TO BUILDINGS, PLUMBING, ELECTRICAL AND FIRE SUBCODE COMPLIANCE.**

(The above Ordinance O.1902-2015 can be found in its entirety in Ordinance Book #26.)

Council President Diehl declared the Public Hearing opened for O.1902-2015.

Hearing no further comments, on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez the Ordinance was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Shah and Council President Diehl

NAYS - Councilmember Dr. Prasad

**NEW BUSINESS**

**PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 27, 2015)**

The following Ordinances were introduced by title:

O.1903-2015                      AN ORDINANCE AMENDING THE TOWNSHIP CODE TO UPDATE THE ADDRESS LIST OF PERSONS ENTITLED TO HANDICAPPED PARKING SPACES.

On a motion made by Councilmember Shah, seconded by Councilmember Gomez, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 27, 2015

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl

NAYS - None

The following Ordinances were introduced by title:

O.1904-2015.                      THIS ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO CLARIFY THAT THE RATE CHANGES IMPLEMENTED BY ORDINANCE O.1862-2014, FINALLY ADOPTED ON APRIL 9, 2014 AND CONCERNING THE PER GALLON WATER RATES THE TOWNSHIP CHARGES FOR THE DISCHARGE OF DOMESTIC SEWAGE, APPLY AS OF JANUARY 1, 2014.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Shah, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 27, 2015.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Shah and Council President Diehl

NAYS - Councilmember Dr. Prasad

The following Ordinances were introduced by title:

O.1905-2015                      THIS ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO REVISE AND UPDATE THE PER GALLON WATER RATES THE TOWNSHIP CHARGES RESIDENTIAL AND NON-RESIDENTIAL USERS FOR THE DISCHARGE OR NORMAL DOMESTIC SEWAGE AND ALSO CREATES A CATEGORY AND ASSOCIATED STANDARDS FOR SAMPLING AND TESTING RESPECTING SIGNIFICANT INDUSTRIAL USERS OF THE TOWNSHIP'S SEWER SYSTEM.

On a motion made by Councilmember Gomez, seconded by Councilmember Shah, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 27, 2015.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Shah and Council President Diehl

NAYS – Councilmember Dr. Prasad

Ms. Nee removed Resolution R.291-052015 from the Consent Agenda.

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.281-052015 through R.290-052015 and R. 292-052015 thru R319-052015.

Lois Wolke, 10 Peake Road, on Resolution R.290-052015, she said she has a problem with things being put on the agenda at the last minute.

Ms. Ruane said this was put on by Mr. Northgrave.

Ms. Wolke said this project has been around since 2012 and now the County is saying they are under the gun to put it on the agenda. She asked what is going to be put there.

Ms. Nee explained that this is simply to start the process to see if it is an area in need of rehabilitation.

Ms. Wolke felt the plan should have been explained first. She said Roosevelt Park is getting smaller and smaller and she explained all that has gone in there over the years. She said she does not want the County to ride over us and felt the people of Edison need to be protected.

Councilmember Karabinchak said the Council has final say on what goes in there.

Ms. Wolke read from a letter from Jane Tousman to Ronald Rios regarding Roosevelt Hospital being on the register of Historic places.

Walt Shneer, Park Way, asked if Resolution R.290-052015 is a continuation from 2012.

Council President Diehl said this is only authorizing us to send it to the Planning Board.

Mr. Shneer said all the patients have been transferred out of there since 2012. He asked why they are coming to us now.

Esther Nemitz, 162B Fay Street, on Resolution R.290-052015 said the County will be before the Planning Board on May 18<sup>th</sup>. She said the Planning Board does not allow the public to participate in discussions of this sort. She asked why there is a deadline now when there hasn't been in the last couple of years. She felt the County must have some reasoning why this should be done now.

Councilmember Karabinchak said the County will have to present their reasoning to the Planning Board. They will not make a determination that evening. The Planning Board will have to make a written decision and then it will come back to the Council and the Council does not have to agree.

Councilmember Lombardi said all the Planning Board will be doing is making a recommendation to the Council. They really do not decide anything.

Fred Wolke, 10 Peake Road, on Resolution R.289-052015, said according to the Township Code, the Mayor must appoint someone in charge of the sewer utility. He asked if Mr. Kataryniak is in charge of the sewer utility.

Ms. Ruane said “no”. This Resolution allows the Engineer to approve the permits that allow tapping into the sewer system. It is not the same function.

Mr. Kataryniak explained this is a permit approval process and is separate from the operations of the sewer utility.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Lombardi, seconded by Councilmember Gomez and duly carried, the public hearing was closed.

The following Resolutions R.281-052015 through R.289-052015 and R.292-052015 through R.306-052015 and R.308-052015 through R.310-052015 and R.312-052015 through R.318-052015 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Shah.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl.

NAYS - None

**RESOLUTION R.281-052015**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 7, 2015.

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 7, 2015.

FUND	AMOUNT
Current	\$19,075,454.31
Affordable Housing	8,428.75
Capital	173,419.59
Cash Performance	343,329.35
CDBG	11,078.99
Developers Escrow	12,643.81
Dog (Animal Control)	11,885.56
Federal Forfeited	0.00
Grant Funds	6,622.52
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	94,190.92
Sanitation Fund	229,787.09
Sewer Utility	486,350.16
Tax Sale Redemption	221,343.31
Street Opening	0.00
Tree Planting	0.00
Trust	51,108.63
<b>TOTAL</b>	<b>\$20,725,642.99</b>

/s/ Agnes Yang  
Acting Chief Financial Officer

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

**RESOLUTION R 282-052015**

**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 **\$343,444.64**.

**RESOLUTION R.283-052015**

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

**WHEREAS**, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20 (revised to April 24) unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2015 Calendar Year Budget,

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

	<u>2015</u>
<b>CURRENT FUND</b>	
<b>OFFICE OF THE MAYOR</b>	
SALARIE & WAGES	4,613.54
OTHER EXPENSES	295.25
<b>MUNICIPAL COUNCIL</b>	
SALARIE & WAGES	4,001.54
OTHER EXPENSES	1,098.33
<b>OFFICE OF THE TOWNSHIP CLERK</b>	
SALARIE & WAGES	19,302.41
OTHER EXPENSES	7,681.17
<b>ETHICS COMMISSION</b>	
OTHER EXPENSES	166.67
<b>OFFICE OF BUSINESS ADMINISTRATOR</b>	
SALARIE & WAGES	51,776.05
OTHER EXPENSES	2,493.58
<b>COMMUNICATIONS</b>	
SALARIE & WAGES	11,131.67
OTHER EXPENSES	5,236.33
<b>DIVISION OF CENTRAL PURCHASES</b>	
SALARIE & WAGES	19,353.87
OTHER EXPENSES	7,888.58
CENTRALIZED STORES	4,987.00
<b>DIVISION OF PERSONNEL</b>	
SALARIE & WAGES	14,574.30
OTHER EXPENSES	777.17
<b>LEGAL DEPARTMENT</b>	
SALARIES & WAGES	5,106.46
OTHER EXPENSES	54,166.67
<b>DEPARTMENT OF FINANCE</b>	
SALARIES & WAGES	15,065.21
OTHER EXPENSES	0.00
AUDIT	6,007.33
<b>DIVISION OF ACCOUNTS AND CONTROL</b>	
SALARIES & WAGES	2,962.95
OTHER EXPENSES	21,665.83
<b>DATA PROCESSING</b>	
OTHER EXPENSES	0.00
<b>DIVISION OF CUSTODY &amp; DISBURSEMENT</b>	
SALARIES & WAGES	19,874.64
OTHER EXPENSES	93.15
<b>TAX COLLECTOR</b>	
SALARIES & WAGES	24,017.51
OTHER EXPENSES	1,672.08
<b>TAX ASSESSOR</b>	
SALARIES & WAGES	19,750.20
OTHER EXPENSES	10,417.42
<b>RECREATION</b>	
SALARIES & WAGES	107,870.74
OTHER EXPENSES	0.00
TELEPHONE	23,333.33
HEAT ,LIGHT AND POWER	0.00
<b>HEALTH</b>	
SALARIES & WAGES	96,464.51
OTHER EXPENSES	10,529.17
<b>DIVISION OF SENIOR CITIZEN</b>	

<b>SERVICES</b>	
<b>SALARIES &amp; WAGES</b>	<b>25,830.06</b>
<b>OTHER EXPENSES</b>	<b>3,133.33</b>
<b>DIVISION OF POLICE</b>	
<b>SALARIES &amp; WAGES</b>	<b>2,740,027.10</b>
<b>OTHER EXPENSES</b>	<b>69,459.17</b>
<b>DISPATCH 911</b>	
<b>SALARIES &amp; WAGES</b>	<b>76,520.91</b>
<b>OTHER EXPENSES</b>	<b>0.00</b>
<b>POLICE VEHICLE MAINTENANCE</b>	
<b>SALARIES &amp; WAGES</b>	<b>22,438.74</b>
<b>OTHER EXPENSES</b>	<b>0.00</b>
<b>FIRE FIGHTING</b>	
<b>SALARIES &amp; WAGES</b>	<b>1,287,571.62</b>
<b>OTHER EXPENSES</b>	<b>57,832.92</b>
<b>FIRE PREVENTION</b>	
<b>SALARIES &amp; WAGES</b>	<b>22,008.46</b>
<b>OTHER EXPENSES</b>	<b>9,350.00</b>
<b>FIRE HYDRANT SERVICES</b>	<b>121,833.67</b>
<b>AID TO VOLUNTEER FIRE COMPANIES</b>	<b>9,166.67</b>
<b>AID TO FIRST AID SQUAD</b>	<b>8,750.00</b>
<b>PARKS &amp; TREES</b>	
<b>SALARIES &amp; WAGES</b>	<b>38,764.39</b>
<b>OTHER EXPENSES</b>	<b>7,325.00</b>
<b>MUNICIPAL GARAGE</b>	
<b>SALARIES &amp; WAGES</b>	<b>85,367.42</b>
<b>OTHER EXPENSES</b>	<b>8,516.40</b>
<b>FUELS, LUBRICANTS FOR MUN. EQUIPT.</b>	<b>0.00</b>
<b>STREET LIGHTING</b>	<b>0.00</b>
<b>STREETS &amp; ROADS</b>	
<b>SALARIES &amp; WAGES</b>	<b>78,063.61</b>
<b>OTHER EXPENSES</b>	<b>25,458.33</b>
<b>BUILDINGS &amp; GROUNDS</b>	
<b>SALARIES &amp; WAGES</b>	<b>143,772.58</b>
<b>OTHER EXPENSES</b>	<b>16,132.50</b>
<b>SOLID WASTE RECYCLING</b>	
<b>SALARIES &amp; WAGES</b>	<b>125,140.15</b>
<b>OTHER EXPENSES</b>	<b>3,487.50</b>
<b>CONSTRUCTION ENFORCING AGENCY</b>	
<b>SALARIES &amp; WAGES</b>	<b>77,050.68</b>
<b>OTHER EXPENSES</b>	<b>0.00</b>
<b>DIVISION OF ENGINEERING</b>	
<b>SALARIES &amp; WAGES</b>	<b>35,535.63</b>
<b>OTHER EXPENSES</b>	<b>11,402.58</b>
<b>DIVISION OF PALNNING AND ZOING</b>	
<b>SALARIES &amp; WAGES</b>	<b>22,252.44</b>
<b>OTHER EXPENSES</b>	<b>3,416.67</b>
<b>PLANNING BOARD</b>	
<b>OTHER EXPENSES</b>	<b>2,183.33</b>
<b>ZONING BOARD</b>	
<b>OTHER EXPENSES</b>	<b>2,108.33</b>
<b>RENT CONTROL BOARD</b>	
<b>SALARIES &amp; WAGES</b>	<b>1,707.69</b>
<b>OTHER EXPENSES</b>	<b>41.67</b>
<b>ENVIRONMENTAL COMMISSION</b>	
<b>OTHER EXPENSES</b>	<b>25.00</b>
<b>MUNICIPAL COURT</b>	
<b>SALARIES &amp; WAGES</b>	<b>56,489.28</b>
<b>OTHER EXPENSES</b>	<b>6,114.17</b>
<b>PUBLIC DEFENDER</b>	
<b>SALARIES &amp; WAGES</b>	<b>0.00</b>
<b>OTHER EXPENSES</b>	<b>0.00</b>
<b>PUBLIC LIBRARY</b>	
<b>SALARIES &amp; WAGES</b>	<b>264,139.73</b>

OTHER EXPENSES	298,639.21
CONDOMINIUM SERVICES	
OTHER EXPENSES	12,083.33
EMPLOYEE GROUP HEALTH INSURANCE	
OTHER EXPENSES	1,539,064.48
OTHER INSURANCE AND SURETY BONDS	223,390.58
EMPLOYEE'S UNEMPLOYMENT INSURANCE	
OTHER EXPENSES	12,500.00
CELEBRATION OF PUBLIC EVENTS	
OTHER EXPENSES	5,000.00
SOCIAL SECURITY(O.A.S.I)	208,364.11
MUNICIPAL ALLIANCE GRANT	96,908.75
<b>TOTAL FOR CURRENT FUND</b>	<b><u>8,438,742.85</u></b>

<b>SEWR UTILITY FUND</b>	
SALARIES & WAGES	177,667.98
OTHER EXPENSES	309,805.50
M.C.U.A. SEWAGE DISPOSAL CHARGES	2,361,801.09
<b>TOTAL FOR SEWER UTILITY FUND</b>	<b><u>2,849,274.57</u></b>

<b>SANITATION FUND</b>	
SALARIES & WAGES	294,230.77
OTHER EXPENSES	175,124.75
EMPLOYEE GROUP HEALTH INSURANCE	368,280.12
<b>TOTAL FOR SANITATION FUND</b>	<b><u>837,635.64</u></b>

**RESOLUTION R.284-052015**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS FOR DATA AND VOICE SERVICE**

**WHEREAS**, bids were received by the Township of Edison on April 14, 2015, for Public Bid No.15-01-23, Data and Voice Service for the Township of Edison; and

**WHEREAS**, BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS, 116 Oceanport Ave. Bldg. 1, Little Silver, NJ 07739, 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 BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS, 116 Oceanport Ave. Bldg. 1, Little Silver, NJ 07739 for Data and Voice Service 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 \$30,000.00, and any other necessary documents, with BUSINESS AUTOMATION TECHNOLOGIES, INC. D/B/A DATA NETWORK SOLUTIONS as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**RESOLUTION R.285-052015**

**RESOLUTION REJECTING BID RECEIVED FOR AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES AND AUTHORIZING REBID OF SERVICE**

**WHEREAS**, the Township of Edison advertised on the Township website for Request for Proposals on October 10, 2014, for RFP 14-05, AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES with a bid opening date of October 24, 2014 only one bid was received

**WHEREAS**, R.612-112014 rejected the bid as the Township wanted to publish on the Affordable Housing Professionals of New Jersey website to provide a more widespread and fuller competition; and

**WHEREAS**, the Township advertised on the Affordable Housing Professionals of NJ website, the Township of Edison website and also emailed notices to all fifty nine (59) vendors on our email consultant list and only one (1) proposal was received; 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; and

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

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

1. The bid for RFP 14-05R, AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES has been rejected pursuant to N.J.S.A 40A:11-13.2d.
2. The Purchasing Agent is hereby authorized to rebid said service.

**RESOLUTION R.286-052015**

**RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO VARTO FINE ARTS TECH, INC. FOR BROADCAST HARDWARE FOR THE TOWNSHIP OF EDISON TV STUDIO**

**WHEREAS**, bids were received by the Township of Edison on April 21, 2015 for Public Bid No. 15-02-02R BROADCAST HARDWARE for the Township of Edison TV Studio; and

**WHEREAS**, VARTO FINE ARTS TECH, INC., 195 Hackensack Street, East Rutherford, NJ 07073 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the maximum amount of the purchase shall not exceed \$40,776.00; and

**WHEREAS**, funds in the amount of \$40,776.00 have been certified to be available in the Acquisition of Edison TV Equipment Account Number C-04-14-1872-100-006; 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 VARTO FINE ARTS TECH, INC., 195 Hackensack Street, East Rutherford, NJ 07073 for the supply, delivery and installation of broadcast hardware for the Township of Edison TV Studio is determined to be the lowest legally responsible, responsive bid as listed on the spreadsheet.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,776.00, and any other necessary documents, with VARTO FINE ARTS TECH, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$40,776.00** are available for the above contract in Account No. **C-04-14-1872-100-006**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.287-052015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW-GOVERNMENT FOR THE FURNISHING OF TWENTY ONE (21) DESKTOP COMPUTERS, MONITORS AND SPEAKER BARS FOR THE DIVISIONS OF POLICE AND FIRE**

**WHEREAS**, there is a need to purchase twenty-one (21) desktop computers, monitors and speaker bars (eighteen for the Police Division and three for Fire Prevention), in an amount not to exceed \$17,850.00; and

**WHEREAS**, CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 70262 under M-0483/WSCA Computer Contract; and

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

**WHEREAS**, funds in the amount of \$17,850.00 have been certified to be available in the Information Technology Related Costs Account, Number C-04-14-1872-100-001; 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 \$17,850.00 and any other necessary documents, with CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 70262 under M-0483.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$17,850.000** have been certified to be available Account Number **C-04-14-1872-100-001**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.288-052015**

Explanation: A Resolution authorizing the filing of a Declaratory Judgment Action, Motion for Temporary Immunity and Request for use and disposition of Affordable Housing Trust Funds, with the Court regarding the Township of Edison's Affordable Housing Plan

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court issued a decision *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing (the "Decision")*, which, among other things, stripped the Council on Affordable Housing ("COAH") of its power in the affordable housing process and transferred all Mount Laurel/Fair Housing Act matters to the Superior Courts; and

**WHEREAS**, as set forth in the Decision, commencing on June 8, 2015 and terminating on July 8, 2015, municipalities that achieved substantive certification from COAH under prior iterations of the Third Round Rules before they were invalidated, and municipalities that had been granted "participating" status before COAH because the municipality filed an adopted Housing Element & Fair Share Plan, may choose affirmatively to seek through a Declaratory Judgment action, filed on notice to the Fair Share Housing Center (the "FSHC") and interested parties, a court order declaring its Housing Element & Fair Share Plan and implementing

ordinances, constitutionally sufficient. Such actions are to be filed with the designated Mount Laurel judge assigned in the appropriate vicinage to hear such actions; and

**WHEREAS**, as further set forth in the Decision, a municipality that was granted “participating” status before COAH, may include in its submission to the court, a plan that it believes represents proof of constitutional compliance with its Mount Laurel obligations; request a grant of five months in which to submit a supplemental Housing Element and Affordable Housing Plan to the court as it deems appropriate; and request that the court, during this review period, provide initial immunity to the municipality to prevent any exclusionary zoning actions from proceeding against the municipality pending the court’s determination of the municipality’s presumptive compliance with its Mount Laurel obligations. If a participating municipality chooses not to affirmatively seek such a declaration and action by the court during this thirty day period, the municipality’s affordable housing plan may then be challenged for constitutional compliance by an action filed with the court by the FSHC or other interested parties ; and

**WHEREAS**, in addition to the March Decision, on April 9, 2015, the New Jersey Appellate Division issued a decision, *In Re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations*, which among other things, enjoined the seizure of any Affordable Housing Trust Funds by COAH or the Executive Branch, and directed that the future use and disposition of the Trust Funds be directed and decided by the Mount-Laurel designated trial judges on a case-by-case basis; and

**WHEREAS**, resort to the courts regarding the use of a municipality’s Affordable Housing Trust Fund, is subject to the same timelines and parameters set forth in the March 10th Decision and consequently, a Declaratory Judgment action filed by a “participating” municipality should also address the use and disposition of the municipality’s Affordable Housing Trust Funds; and

**WHEREAS**, the Township is a “participating” municipality under the Decision and consequently, has the option to affirmatively seek a declaration from the court through a Declaratory Judgment action as to the constitutional compliance of its Housing Element and Fair Share Plan, and to also seek the protection of temporary immunity during the court’s review, as set forth in the Decision; and

**WHEREAS**, it is the desire of the Township to affirmatively proceed as authorized by the Supreme Court in its Decision, to have the court assume jurisdiction over and review and take action as to the Township’s Housing Element and Fair Share Plan and therefore, Council hereby authorizes the Township Attorney to file a Declaratory Judgment action, Motion for Temporary Immunity and Request as to the Township’s use and disposition of its Affordable Housing Trust Funds, with the designated Mount Laurel Judge as set forth herein and in accordance with the direction provided by the Courts in both the March 10, 2015 and April 9, 2015 Decisions.

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

1. The Township Council hereby approves and authorizes the Township Attorney to file a Declaratory Judgment action, Motion for Temporary Immunity and Request as to the Township’s use and disposition of its Affordable Housing Trust Funds, with the designated Mount Laurel Judge as set forth herein and in accordance with the direction provided by the Courts in both the March 10, 2015 and April 9, 2015 Decisions.

**RESOLUTION R.289-052015**

**EXPLANATION:** This Resolution authorizes the Township Engineer to execute applications for treatment works approvals, temporary discharge approvals and/or extensions to the Township’s sanitary sewer system on behalf of the Township.

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJDEP”) requires that a municipality submit certified applications to obtain treatment works approvals, temporary discharge approvals and/or extensions to its respective sanitary sewer system; and

**WHEREAS**, the Township of Edison (“Township”) will at times need to submit such applications to NJDEP and/or the Middlesex County Utilities Authority (“MCUA”) in connection with improvements to the Township’s sanitary sewer system; and

**WHEREAS**, the Township desires to authorize the Township Engineer, Mark Kataryniak, P.E., P.T.O.E (the “Township Engineer”), to sign applications to NJDEP and/or the MCUA on behalf of the Township in connection with the grant of the aforesaid approvals.

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

1. 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Township Engineer is hereby authorized to sign the required applications for treatment works approvals, temporary discharge approvals and/or extensions to the Township's sanitary sewer system, as the case may be, for submission to NDJEP and/or the MCUA.

3. This Resolution shall take effect immediately.

**RESOLUTION R.292-052015**

**EXPLANATION:** Resolution Refunding Inspection Fees to KIF Property Trust for Application #P01-08/09 KTR Phase 1, Account #7760296003

**WHEREAS**, the Township Engineer advises that an inspection has been made of the above property 3003 Woodridge Ave, Block 795-D, Lot 22B7, 22B7, 22B8 & 22B9, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

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

**WHEREAS**, the Township Engineer recommends the release of the inspection fees posted in March 19, 2009 in the amount of \$42,750.04 in account #7760296003

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

**WHEREAS**, it is in now in order that the sum of \$9,827.37, which represents the amount due and owing the applicant, be returned to KIF Property Trust having an address at 300 Barr Harbor Drive, Ste 150, Conshohocken, Pa 19428

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$9,827.37 plus accrued interest, if applicable, be refunded to the applicant; and

**BE IT FURTHER RESOLVED** that the Acting director of Finance be and is hereby authorized to refund said sum of \$9,827.37, in account #7760296003 to the applicant.

**RESOLUTION R.293-052015**

**EXPLANATION:** Resolution Refunding Inspection Fees to KIF Property Trust for Application #P01-08/09 KTR Phase 2, Account #7760296027

**WHEREAS**, the Township Engineer advises that an inspection has been made of the above property 3003 Woodridge Ave, Block 795-D, Lot 22B7, 22B7, 22B8 & 22B9, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

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

**WHEREAS**, the Project Engineer recommends the release of the inspection fees posted in July 21, 2009 in the amount of \$43,853.67 in account #7760296027

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

**WHEREAS**, it is in now in order that the sum of \$20,433.55, which represents the amount due and owing the applicant, be returned to KIF Property Trust having an address at 300 Barr Harbor Drive, Ste 150, Conshohocken, Pa 19428

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$20,433.55 plus accrued interest, if applicable, be refunded to the applicant; and

**BE IT FURTHER RESOLVED** that the Acting director of Finance be and is hereby authorized to refund said sum of \$20,433.55, in account #7760296027 to the applicant.

**RESOLUTION R.294-052015**

**EXPLANATION:** Resolution Refunding Inspection Fees to KIF Property Trust for Application #P01-08/09 KTR Phase 3, Account #7760296032

**WHEREAS**, the Township Engineer advises that an inspection has been made of the above property 3003 Woodridge Ave, Block 795-D, Lot 22B7, 22B7, 22B8 & 22B9, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

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

**WHEREAS**, the Township Engineer recommends the release of the inspection fees posted in September 3, 2009 in the amount of \$11,322.58 in account #**7760296032**

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

**WHEREAS**, it is in now in order that the sum of \$2,582.93, which represents the amount due and owing the applicant, be returned to KIF Property Trust having an address at 300 Barr Harbor Drive, Ste 150, Conshohocken, Pa 19428

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$2,582.93 plus accrued interest, if applicable, be refunded to the applicant; and

**BE IT FURTHER RESOLVED** that the Acting director of Finance be and is hereby authorized to refund said sum of **\$2,582.93**, in account #**7760296032** to the applicant.

**RESOLUTION R.295-052015**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to KTR Edison, LLC, tree Permit 09-015 Account # 7760275103

**WHEREAS**, on July 9, 2010 KTF Trust posted Tree Maintenance Bond fees in the amount of \$14,400.00 on deposit with the Township of Edison in account #7760275103 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #09-015 for property located at 3003 Woodbridge Ave

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

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$14,400.00, plus accrued interest, if applicable, be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of \$14,400.00 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 \$14,400.00, plus accrued interest, if applicable, on deposit in Account #7760275103 to KTF Trust having an address of 300 Barr Harbor Drive Ste. 150, Conshohocken, Pa. 19425

**RESOLUTION R.296-052015**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to KTR Ashley Furniture Permit 11-096 Account # 7762575517 Application P05-2011

**WHEREAS**, on November 29, 2012 KTF Trust posted Tree Maintenance Bond fees in the amount of \$3,900.00 on deposit with the Township of Edison in account #772575517 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-096 for property located at 3025 Woodbridge Ave

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

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$3,900.00, be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of \$3,900.00 Herein above mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of \$3,900.00, on deposit in Account #7762575517 to KTF Trust having an address of 300 Barr Harbor Drive Ste. 150, Conshohocken, Pa. 19425.

**RESOLUTION R.297-052015**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to Leonard Cursi Permit 12-129 Account # 7762575673, Address 3808 Fleet Avenue, South Plainfield, NJ 07080-4801

**WHEREAS,** on April 25, 2013 Leonard Cursi Construction C Inc., posted Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7762575673 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-129 for property located at 256 Fleet Ave

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

**WHEREAS,** it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$900.00, be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON,** that the Tree Maintenance Bond in the amount of \$900.00 Herein above 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 \$900.00, on deposit in Account #7762575673 to Leonard Cursi having an address of 3808 Fleet Avenue, South Plainfield, N.J. 07080-4801.

**RESOLUTION R.298-052015**

**EXPLANATION:** Resolution Refunding Cash Performance Bond to Diane Hill, Application Single Family Home Block #1015 & Lot 1 20 Skytop Road, Edison, NJ 08820

**WHEREAS,** the Township Engineer, recommends the release of the Cash Performance posted on March 2, 2005 in the amount of \$9,632.00, plus accrued interest, if applicable, on deposit in account #7760013239 with the Township of Edison, principal being Diane Hill having an address at 9 Vail Place, Metuchen, NJ 08840

**BE IT FURTHER RESOLVED** that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of \$9,632.00 plus accrued interest, if applicable, on deposit in account #7760013239 to the applicant.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the Sidewalk and Curb improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the Cash Performance in the amount \$9,632.00 Plus interest to the applicant, having an address of 9 Vail Place, Metuchen, NJ 08840 on deposit in account #7760013239.

**RESOLUTION R.299-052015**

**EXPLANATION:** Resolution Releasing of Cash Maintenance Bond on Site Improvements, under application No.P05-2011, KTR Ashley Furniture Account # 7762495237

**WHEREAS,** the Township Engineer advises that an inspection has been made of 3025 Woodbridge Ave, 795-D and Lot(s): 22.10, Application #P05-2011, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

**WHEREAS,** on July 9, 2013 KIF Trust, posted a Cash Maintenance Bond check #1388500092 in the amount of \$316,774.50 of Bank of America 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 Cash Maintenance Bond check #1388500092 in the amount of \$316,774.50. The principal being KIF Trust having offices at 300 Barr Harbor Drive Ste. 150, Conshohocken, Pa 19428 and acceptance of the subject improvements; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Cash Maintenance Bond in the amount of \$316,774.50, in township account #7762495237

**BE IT FURTHER RESOLVED** that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Maintenance Bond in the amount of \$316,774.50, to the applicant KIF Property Trust at 300 Barr Harbor Drive Ste. 150, Conshohocken, Pa 19428.

**RESOLUTION R.300-052015**

**WHEREAS**, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Gemini Investments for a project located at 1085 Amboy Avenue , N.J. 08817 in Block 725.E, Lot 5.A and Application #P7-2014 ; and

**WHEREAS** ; the applicant was required to Post developers escrow fees, pursuant to Township Ordinance; and

**WHEREAS**; on July 21 ,2014 Gemini Investments posted fees on deposit with the Township of Edison in the account # 7763328711for Developers Escrow Fees; and

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

**WHEREAS**; it is now in order that the sum \$ 2,369.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Gemini Investments; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$2,369.50 plus accrued interest, if applicable be refunded to Gemini Investments, 7 Laurie Lane, Edison, N.J. 08817

**BE IF FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund the sum of \$ 2,369.50 plus accrued interest, if applicable, in account #7763328711 to the applicant.

**RESOLUTION R.301-052015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Generator Program.

**WHEREAS**, by Resolution dated February 25, 2015 the Township Council approved, authorized and established an Emergency Generator Program for the purchase and installation of emergency generators pursuant to N.J.A.C. 5:97-8.8(a) by certain qualified applicants and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by The Arc Middlesex County and was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to The Arc Middlesex County in the amount of \$10,400.00 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and The Arc Middlesex County with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$10,400.00 from the Township's Affordable Housing Trust Fund, account #T-13-00-0000-000-006 with respect to the Township's Emergency Generator Program, to The Arc Middlesex County for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with The Arc Middlesex County with respect to such grant.
2. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.302-052015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Generator Program.

**WHEREAS**, by Resolution dated February 25, 2015 the Township Council approved, authorized and established an Emergency Generator Program for the purchase and installation of emergency generators pursuant to N.J.A.C. 5:97-8.8(a) by certain qualified applicants and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by The Arc Middlesex County and was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to The Arc Middlesex County in the amount of \$11,790.00 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and The Arc Middlesex County with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$11,790.00 from the Township's Affordable Housing Trust Fund, account #T-13-00-0000-000-006 with respect to the Township's Emergency Generator Program, to The Arc Middlesex County for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with The Arc Middlesex County with respect to such grant.
2. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.303-052015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Generator Program.

**WHEREAS**, by Resolution dated February 25, 2015 the Township Council approved, authorized and established an Emergency Generator Program for the purchase and installation of emergency generators pursuant to N.J.A.C. 5:97-8.8(a) by certain qualified applicants and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by The Arc Middlesex County and was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to The Arc Middlesex County in the amount of \$8,120.00 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and The Arc Middlesex County with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$8,120.00 from the Township's Affordable Housing Trust Fund, account #T-13-00-0000-000-006 with respect to the Township's Emergency Generator Program, to The Arc Middlesex County for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with The Arc Middlesex County with respect to such grant.
2. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.304-052015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Repairs Program.

**WHEREAS**, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property, sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current or prospective tenants, and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Repairs Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such repairs under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by The Arc Middlesex County, was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to The Arc Middlesex County in the amount of \$2,266.21 for the purposes set forth herein under the Township's Emergency Generator Program

and to authorize the execution of an Agreement between the Township and The Arc Middlesex County, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$2,266.21 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Repairs Program, to The Arc Middlesex County for the purposes set forth herein and authorizes the execution of an Agreement with The Arc Middlesex County with respect to such grant.
2. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.305-052015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FISCHER CONTRACTING INC., FOR TALMADGE ROAD RESURFACING (PHASE II) FROM NATIONAL ROAD TO ROUTE 287 OVERPASS IN THE TOWNSHIP OF EDISON**

**WHEREAS**, bids were received by the Township of Edison on April 22, 2015 for Public Bid No. 14-31-02 TALMADGE ROAD RESURFACING (PHASE II) FROM NATIONAL ROAD TO ROUTE 287 OVERPASS for the Township of Edison; and

**WHEREAS**, FISCHER CONTRACTING INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the Edison Township Engineer has reviewed the bids received and has recommended award of a contract to Fischer Contracting Inc., subject to NJDOT Municipal Aid requirements, at the total bid amount not to exceed \$572,913.50;

**WHEREAS**, funds in the amount of \$572,913.50 have been certified to be available in the Engineering Road Resurfacing and Improvements Account, Number C-04-14-1872-165-000; 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 FISCHER CONTRACTING INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 for Talmadge Road resurfacing (phase II) from National Road to Route 287 overpass in the Township of Edison is determined to be the lowest legally responsible, responsive bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$572,913.50, and any other necessary documents, with FISCHER CONTRACTING INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$572,913.50** are available for the above contract in Account No. **C-04-14-1872-165-000**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.306-052015**

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO A-PLUS CONSTRUCTION FOR THE INSTALLATION OF A FURNACE AT A TOWNSHIP RESIDENCE UNDER THE COMMUNITY BLOCK GRANT PROGRAM**

**WHEREAS**, an emergency occurred on April 23, 2015 at a residence home, case #0514; and

**WHEREAS**, upon investigation it was determined that the furnace was cracked and inoperable and needed to be removed and replaced; and

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

**WHEREAS**, A-PLUS CONSTRUCTION, 18 Station Rd., Lincoln Park, NJ 07035 submitted a quote in the amount of \$5,800.00; and

**WHEREAS**, funds in the amount of \$5,800.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-13-0510-000-001; and

**WHEREAS**, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2014 Consolidated Annual Action Plan; 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 of \$5,800.00 and any other necessary documents, with A-PLUS CONSTRUCTION, 18 Station Rd., Lincoln Park, NJ 07035, for the removal and replacement of the furnace.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$5,800.00** are available for the above contract in Account No. **T-14-13-0510-000-001**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.308-052015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO WHIRL CORPORATION, INC., FOR PLAYGROUND EQUIPMENT INSTALLATION AT WINTER STREET PARK**

**WHEREAS**, bids were received by the Township of Edison on April 15, 2015 for Public Bid No. 15-03-13 Playground Equipment Installation at Winter Street Park; and

**WHEREAS**, WHIRL CORPORATION, INC., PO Box 110, 187 Main Street, Port Monmouth, NJ 07758 submitted the lowest, legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract shall not exceed \$25,012.35; and

**WHEREAS**, funds in the amount of \$25,012.35 have been certified to be available in the Improvement to Parks Account, Number C-04-03-1352-382-004; 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 WHIRL CORPORATION, INC., PO Box 110, 187 Main Street, Port Monmouth, NJ 07758 for the Playground Equipment Installation at Winter Street Park, is determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,012.35, and any other necessary documents, with WHIRL CORPORATION, INC., as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$25,012.35** are available for the above contract in Account No. **C-04-03-1352-382-004**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.309-052015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BROWNS HUNTERDON INTERNATIONAL LLC FOR THE PURCHASE OF A 2015 MODEL 8600 INTERNATIONAL TRACTOR FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there is a need for a 2015 Model 8600 6 X 4 International Tractor for the Department of Public Works to replace one lost in the fire at the Municipal Garage; and

**WHEREAS**, BROWNS HUNTERDON INTERNATIONAL LLC, 963 Route 173, P.O. Box 98, Bloomsbury, NJ 08804 has been awarded State Contract Number 85825 under T-2856 Tractor, 52,000 LB. GVWR, 80,000 LB. GCWR; 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 \$93,250.00; and

**WHEREAS**, funds in the amount of \$93,250.00 have been certified to be available in the Acquisition of Vehicles & Equipment Account, Number C-04-15-1895-310-000; 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 \$93,250.00, and any other necessary documents, with BROWNS HUNTERDON INTERNATIONAL LLC, 963 Route 173, P.O. Box 98, Bloomsbury, NJ 08804 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. 85825 under T-2856.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$93,250.00** are available for the above in Account No. **C-04-15-1895-310-000**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.310-052015**

**RESOLUTION AMENDING RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO W.E. TIMMERMAN COMPANY, INC. FOR THE PURCHASE OF AN ELGIN PELICAN SERIES STREET SWEEPER**

**WHEREAS**, Resolution R.239-042015 was awarded to **W.E. TIMMERMAN CO., INC.**, PO BOX 71, Whitehouse, NJ 08888 on April 8, 2015 for an Elgin Pelican Series P Street Sweeper in the amount of \$195,364.76 to replace equipment lost as a result of the fire; and

**WHEREAS**, the equipment the Township needs to purchase is an Elgin Pelican Sweeper that is in stock with a three year warranty in the total amount of \$198,763.15 which is an additional \$3,398.39 more than the original resolution amount; and

**WHEREAS**, the additional funds in the amount of \$3,398.39 have been certified to be available in the Acquisition of Vehicles and Equipment Account, Number C-04-15-1895-310-000; 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 add the additional funds of \$3,398.39 to the contract/purchase order with **W.E. TIMMERMAN CO., INC.**, PO BOX 71, Whitehouse, NJ 08888, for the purchase of the street sweeper to make the total amount of the street sweeper purchase \$198,763.15 as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that the additional funds in the amount of **\$3,398.39** are available for the above contract in Account No. **C-04-15-1895-310-000**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.312-052015**

**RESOLUTION APPROVING ACCEPTANCE OF THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM MAY 18 – MAY 31, 2015.**

**WHEREAS**, there were over 4,000 motor vehicle crashes in New Jersey in 2013; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 12,000 lives were saved by safety belt usage nationally in 2012 alone; and

**WHEREAS**, Edison Township will participate in the nationwide Click It or Ticket seat belt mobilization from May 18 – May 31, 2015 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

**WHEREAS**, a further increase in seat belt usage in Edison and the State of New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED** that the Township of Edison declares its acceptance of the available grant funding of \$4,000 to support the *Click It or Ticket* safety belt mobilization program from May 18 – May 31, 2015.

**RESOLUTION R.313-052015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES, INC. FOR THE PURCHASE OF SEVEN (7) ARMOR EXPRESS CONCEALABLE BODY ARMOR VESTS FOR THE POLICE DEPARTMENT**

**WHEREAS**, there is a need for seven (7) Armor Express Concealable Body Armor Vests for the Police Department; and

**WHEREAS**, LANIGAN ASSOCIATES, INC., 496 Shrewsbury Avenue, Red Bank, NJ 07701 has been awarded State Contract Number 81348 under T-0106 Police and Homeland Security Equipment and Supplies - Statewide; 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 \$6,274.45; and

**WHEREAS**, funds in the amount of \$6,274.45 have been certified to be available in the Bullet Proof Vest Partnership Grant Account, Number G-02-14-0240-716-000; 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 \$6,274.45, and any other necessary documents, with LANIGAN ASSOCIATES, INC. 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. 81348 under T-0106.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$6,274.45** are available for the above in Account No. **G-02-14-0240-716-000**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.314-052015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES, INC. FOR THE PURCHASE OF SEVEN (7) ARMOR EXPRESS CONCEALABLE BODY ARMOR VESTS FOR THE POLICE DEPARTMENT**

**WHEREAS**, there is a need for seven (7) Armor Express Concealable Body Armor Vests for the Police Department; and

**WHEREAS**, LANIGAN ASSOCIATES, INC., 496 Shrewsbury Avenue, Red Bank, NJ 07701 has been awarded State Contract Number 81348 under T-0106 Police and Homeland Security Equipment and Supplies - Statewide; 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 \$6,274.45; and

**WHEREAS**, funds in the amount of \$6,274.45 have been certified to be available in the Bullet Proof Vest Partnership Grant Account, Number G-02-14-0240-716-000; 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 \$6,274.45, and any other necessary documents, with LANIGAN ASSOCIATES, INC. 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. 81348 under T-0106.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$6,274.45** are available for the above in Account No. **G-02-14-0240-716-000**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.315-052015**

**WHEREAS**, The Arc of Middlesex County, New Jersey, has requested a waiver of any and all permit and/or application fees concerning the installation of an emergency generator for the properties located at 46 Roxy Ave., 43 Cambridge Road, and 12 Marie Lane, Edison, New Jersey.

**WHEREAS**, under the building code, The Arc of Middlesex County, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Edison, that it does hereby waive any application fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by The Arc of Middlesex County for the properties located in Edison as referenced above.

**RESOLUTION R.316-052015**

**WHEREAS**, Catholic Charities Diocese of Metuchen, has requested a waiver of any and all permit and/or application fees concerning the Sidewalk replacement at Ozanam Family Shelter, 89 Truman Drive, Edison, New Jersey.

**WHEREAS**, under the building code, Catholic Charities Diocese of Metuchen as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Edison, that it does hereby waive any application fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Catholic Charities Diocese of Metuchen for the property located as referenced above.

**RESOLUTION R.317-052015**

**WHEREAS**, Triple C Housing, New Jersey, has requested a waiver of any and all permit and/or application fees concerning the Certificate of Occupancy and Continued Certificate of Occupancy for 21 Knapp Avenue, Edison, New Jersey.

**WHEREAS**, under the building code, Triple C Housing, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Edison, that it does hereby waive any application fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Triple C Housing for the property located as referenced above.

**RESOLUTION R.318-052015**

**EXPLANATION:** A Resolution amending Resolution R.271-042015 adopted on April 22, 2015 to revise and extend the effective date of the person-to-person transfer of the plenary retail consumption license currently held by KMT Caterers, LLC, in light of the delayed sale of same.

**WHEREAS**, the Township of Edison (“Township”) has issued a plenary retail consumption liquor license, License No. 1205-33-002-007 (“License”), to KMT Caterers, LLC t/a Rosewood (“KMT”) in prior years; and

**WHEREAS**, Sura Holdings, LLC (“Applicant”) is in contract to purchase the License from KMT and has submitted an application to the Township for a person-to-person transfer of same; and

**WHEREAS**, the Municipal Council of the Township (“Municipal Council”) adopted Resolution R.271-042015 at a public meeting held on April 22, 2015 which approved the aforesaid person-to-person transfer of the License, effective as of May 5, 2015; and

**WHEREAS**, the closing on the sale of the License between KMT and the Applicant has been postponed and the Township desires to revise and amend Resolution R.271-042015 so as to postpone the effective date of the person-to-person transfer authorized under same, in order to establish that the effective date of the transfer coincides with the parties’ actual sale and transfer of the License.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. R.271-042015 adopted on April 22, 2015 is hereby revised and amended to provide that the Township Clerk is directed to endorse the License certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Sura Holdings, LLC, effective May 14, 2015.”
3. This Resolution serves to amend the effective date of the transfer of the License to May 14, 2015, only. All other terms of R.271-042015 remain in full force and effect and otherwise unmodified.
2. This Resolution shall take effect immediately.

The following Resolutions will be voted upon separately:

**RESOLUTION R.290-052015**

**EXPLANATION:** A resolution requesting that the Township Planning Board review a draft resolution designating the Roosevelt Care Center site as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* as amended (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation,” as defined in the Redevelopment Law; and

**WHEREAS**, in accordance with the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) has determined to investigate whether the Roosevelt Care Center site located at 1 Roosevelt Drive, Edison on the property commonly known as Block 690, Lots 1 and 2.B on the tax map of the Township) (the “**Study Area**”) should be designated as an area in need of rehabilitation; and

**WHEREAS**, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, provides that prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of

rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating such property to the Township planning board (the “**Planning Board**”) for review; and

**WHEREAS**, the Township seeks the review and recommendations of the Planning Board in connection with the Township’s finding that the majority of the water and sewer infrastructure within the Study Area is at least 50 years old and in need of repair or substantial maintenance and that a program of rehabilitation will help prevent further deterioration and promote the overall development of the Township; and

**WHEREAS**, based on the findings of the Planning Board, the Municipal Council intends to designate the Study Area as an area in need of rehabilitation pursuant to the Redevelopment Law by way of the adoption of a resolution substantially in the form attached hereto as Exhibit A.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution, inclusive of Exhibit A, to the Planning Board for its review and recommendation to the Municipal Council including the preparation of a report relating to same, returnable within forty-five (45) days of receipt of this Resolution, pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*.

**Section 3.** A copy of this Resolution shall be available for public inspection at the offices of the Township.

**Section 4.** This Resolution shall take effect immediately.

Councilmember Dr Prasad felt that the timeline on this Ordinance does not fit. He said there are too many questions and said the County should have explained this as a courtesy to the residents.

On a motion made by Councilmember Lombardi, seconded by Councilmember Gomez this Resolution was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Shah and Council President Diehl.

NAYS - Councilmember Dr. Prasad.

**RESOLUTION R.307-052015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO A-TEAM CONCRETE INC. FOR 2015 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM FOR VARIOUS STREETS, PHASE 1**

**WHEREAS**, bids were received by the Township of Edison on April 14, 2015 for Public Bid No. 15-25-01 2015 CDBG Curb and Sidewalk Replacement Program for Various Streets, Phase 1; and

**WHEREAS**, A TEAM CONCRETE INC., 104 George Street, South River, NJ 08882 submitted the lowest, legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract shall not exceed \$253,640.20; and

**WHEREAS**, funds in the amount of \$253,640.20 have been certified to be available in the ADA Curb Cuts and Sidewalk Replacements Account, Number T-14-14-0520-000-002; 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. All bids have been reviewed, and the bid submitted by A TEAM CONCRETE INC., 104 George Street, South River, NJ 08882 for 2015 CBDG Curb and Sidewalk Replacement Program for Various Streets, Phase 1, 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 \$253,640.20, and any other necessary documents, with A TEAM CONCRETE INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$253,640.20** are available for the above contract in Account No. **T-14-14-0520-000-002.**

/s/ Agnes Yang  
Acting Chief Financial Officer

Councilmember Karabinchak commented that this is just a small piece of what they are trying to do all over Edison. He said the worst sidewalks and curbs will be repaired first.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Mascola this Resolution was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl.

NAYS - None

**RESOLUTION R.311-052015**

**EXPLANATION:** A Resolution to name the gymnasium at the Minnie B. Veal Community Center the 'John F. Spiess Gymnasium.'

**WHEREAS**, John F. Spiess made his mark as a dedicated Township employee and as a coach and mentor to local youth, whose lives he positively influenced through his involvement with various local sports programs and through their summer employment with the Edison Recreation Department; and

**WHEREAS**, John F. Spiess began his memorable service with Edison Township on September 25, 1989 as a program coordinator in the recreation department and was shortly thereafter assigned to oversee the daily and evening operations of the new Minnie B. Veal Community Center; and

**WHEREAS**, from the opening of the facility, John took a great interest in the operation and management of the Minnie B. Veal Community Center and the patrons who visited there; and

**WHEREAS**, soon after joining the Township recreation department, John took over the adult sports programs, athletic field assignments, summer playground program and the planning and coordinating of all special events, including the Summer Concert Series, the Fall Family Spectacular (where he loved to engage the Jersey Shore Bands), the "John Eddie", the Halloween Parade, the Township's Christmas Tree Lighting (where he engaged celebrities from Edison, such as Brittany Murphy, Susan Sarandon, Robert Pastorelli, Astronaut Mark Polansky and War Veteran Joel Jones) and the Township Menorah Lighting (with David Bryan from Bon Jovi and Judy Franko from Radio NJ 101.5); and

**WHEREAS**, in 1972 John founded the "Jersey Shore Chazers", an A.A.U. Girl's Basketball Program currently known as "The New Jersey Rising Stars", which through the years has played in 15 National Championships in 25 different states and Canada, while playing against girls from 48 different states and 5 countries, including Russia, Brazil and Yugoslavia; and

**WHEREAS**, John was very proud of the program he created and managed as he watched over 1,200 different players wear the "Stars" uniform since 1972, with 75 percent of players going on to play college basketball, many of whom earned scholarships to highly competitive universities, including Duke, Miami, Rutgers, North Carolina State, Georgetown and Providence, among others; and

**WHEREAS**, many former "Stars" players and former recreation department employees came back to visit John, whether it be for advice or just to catch up, which is testament to John's influence; and

**WHEREAS**, John put maximum effort into whatever he was involved in, whether it was working on a new recreation program/event or coaching his beloved “Stars”. He loved what he did and aside from his wife, Lisa, daughter, Kari, and his faithful companion, Max, these were his passions, of which he made contagious to those around him; and

**WHEREAS**, the Municipal Council desires to honor John for his dedication to improving the lives of local youth and his many contributions to the local community.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:**

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby names the gymnasium at the Minnie B. Veal Community Center the ‘John F. Spiess Gymnasium’, in his memory.
3. This Resolution shall take effect immediately.

Councilmember Karabinchak said this is just a small thing we can do to honor John Spiess. He said he can’t say enough about all the youths that were helped by him over the years.

Councilmember Gomez said it was his pleasure to work with John for a few years and this is a small thing we can do to keep his memory alive.

Councilmember Dr. Prasad said John was an outstanding person.

Council President Diehl said he can’t think of a more deserving person to name this gym after as he was dedicated to helping the youth of Edison.

On a motion made by Councilmember Lombardi, seconded by Councilmember Gomez this Resolution was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl.

NAYS - None

**RESOLUTION R.319-052015**

**EXPLANATION:** A Resolution authorizing the Township’s entering and Mayor’s execution of an agreement with the County of Middlesex with respect to the milling and resurfacing of Woodland Avenue.

**WHEREAS**, the Township of Edison (the “Township”) is a municipal corporation of the State of New Jersey; and

**WHEREAS**, the Township is authorized under *N.J.S.A. 40A:11-5(2)* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* to enter contracts for the provision of goods or services with the County of Middlesex (“County”) without public bid; and

**WHEREAS**, the Township desires that Woodland Avenue (between Oak Tree Road and Maple Avenue) be milled and resurfaced (the “Work”); and

**WHEREAS**, the County has provided an estimate of the cost for it to perform the Work, and the Township desires to enter an agreement (“Agreement”, as attached hereto as *Exhibit A*) with the County respecting the completion of and payment for same; and

**WHEREAS**, the Municipal Council of Edison (“Municipal Council”) seeks to hereby authorize the Township’s entering and execution of the Agreement and the payment for the Work pursuant to same.

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

**Section 1.** The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

**Section 2.** The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor and Township Clerk to execute the Agreement on behalf of the Township.

**Section 3.** The Business Administrator and/or responsible Township officer shall arrange for payment to the County for the Work pursuant to the terms of the Agreement.

**Section 4.** A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

**Section 5.** This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2015 calendar year, funds in the amount of \$100,000 for payment under the above-referenced Agreement with the County of Middlesex are available in Account No. C-04-15-1899-290-000.

/s/ Agnes Yang,  
Acting Chief Financial Officer

Councilmember Dr. Prasad felt this is like giving a blank check and a cap should be placed on it. He also felt the cost should be shared with South Plainfield. He asked that this be amended not to exceed \$50,000.

Councilmember Lombardi said the County already has the estimate.

A motion was made by Councilmember Lombardi, seconded by Councilmember Gomez to adopt this Resolution.

AYES - Councilmembers, Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl

NAYS - None

The following Resolution was pulled off the agenda:

**RESOLUTION R.291-052015**

**EXPLANATION:** A resolution designating the Roosevelt Care Center site as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* as amended (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation,” as defined in the Redevelopment Law; and

**WHEREAS**, in accordance with the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) has determined to investigate whether the Roosevelt Care Center site located at 1 Roosevelt Drive, Edison on the property commonly known as Block 690, Lots 1 and 2.B on the tax map of the Township) (the “**Study Area**”) should be designated as an area in need of rehabilitation; and

**WHEREAS**, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, provides that prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating such property to the Township planning board (the “**Planning Board**”) for review; and

**WHEREAS**, on May 13, 2015, the Municipal Council, acting by resolution, referred a copy of a resolution, substantively as written herein, to the Planning Board for review and comment pursuant to *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, Bignell Planning, Township Planner, prepared a report for the Township dated May \_\_, 2015, a copy of which is attached hereto as *Exhibit A* (the “**Rehabilitation Report**”), which finds that the majority of the water and sewer infrastructure within the Study Area is at least 50 years old and in need of repair or substantial maintenance and that a program of rehabilitation will help prevent further deterioration and promote the overall development of the Township; and

**WHEREAS**, based on the Rehabilitation Report, the Planning Board has determined that the Study Area satisfies the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, and has transmitted to the Municipal Council the recommendation that it adopt a resolution, substantively as written herein, which designates the Study Area as an area in need of rehabilitation; and

**WHEREAS**, the Municipal Council believes that the designation of the Study Area as an area in need of rehabilitation, and the development of a program of rehabilitation therefor, is expected to prevent further deterioration and promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14*.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Municipal Council hereby designates the Study Area as an “area in need of rehabilitation” pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14*.

**Section 3.** The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community of Affairs for review in accordance with the Redevelopment Law.

**Section 4.** A copy of this Resolution shall be available for public inspection at the offices of the Township.

**Section 5.** This Resolution shall take effect immediately.

#### **ORAL PETITIONS AND REMARKS**

Council President Diehl opened the meeting for public comment.

Bill Brunner, 215 Loring Avenue, asked if the seniors will still be protected under the new proposed sewer ordinance.

Ms. Ruane said “yes”.

Mr. Brunner asked who decides what curbs and sidewalks will be repaired.

Mr. Kataryniak said there are restrictions on CDBG funds. They use a census track and it is based on the median income of an area.

Hearing no further comments from the public Councilmember Gomez made a motion to close the public hearing, which was seconded by Councilmember Lombardi and duly carried.

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Shah, the meeting was adjourned at 8:06 p.m.

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Robert Diehl  
Council President

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Cheryl Russomanno  
Acting Municipal Clerk