

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, June 11, 2012
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Regular Meeting of May 9, 2012
 - b. Special Meeting of May 16, 2012
 - c. Worksession Meeting of May 21, 2012
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of bid for Contract No. 12-01-29, Uniforms and Equipment Fire Dept. and EMT
 - b. Award of bid for Contract No. 12-02-03, Supplies for Office Equipment
 - c. Award of bid for Contract No. 12-07-30, Janitorial/Industrial/Hardware
 - d. Award of bid for Contract No. 12-10-02, Emergency Vehicle Repairs
 - e. Award of contract for maintenance and support of the proprietary software computer aided dispatch and records management system
 - f. Award of contract for maintenance, support and hosting of the Township's web based citizen service request management software
 - g. Resolution supporting NJDOT application for the former Ford Plant site
 - h. Award of contract for the purchase of laptop computers
 - i. Award of quote for a video and audio monitoring system
 - j. Award of contract for the furnishing of window treatments
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through June 7, 2012
 - b. Resolution authorizing refund in the amount of \$258,523.06 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$81,044.63.
 - d. Disabled Veterans Deduction
 - e. Cancellation and discharge of a Tax Sale Certificate
10. **FROM THE DEPARTMENT OF LAW:**
 - a. COAH Amended Spending Plan

11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution authorizing refund
 - b. Resolution authorizing bond reduction for 3775 park Avenue Assoc. LLC, 3775 Park Avenue, Application #P65-07/08
 - c. Resolutions authorizing memorandum of agreement regarding the HOPWA grant
 - d. Award of bid for Contract No. 12-19-01-2012 Playground Equipment Installation Dudash Park
 - e. Release of cash and performance bond for 400 Route One, LLC, 400 Route 1 North, Application #P28-09/10

12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Award of bid for Contract No. 12-04-23, UPS Maintenance and Repair
 - b. Award of emergency contract for the purchase of a chiller

13. **FROM THE DEPARTMENT OF RECREATION:**
- a. Award of contracts for the Fall Family Spectacular

14. **FROM THE CHIEF OF FIRE:**
- a. Resolution authorizing refund of overpayment

15. **FROM THE CHIEF OF POLICE:**
- a. Award of quote for camera equipment
 - b. Award of contract for the purchase of computer equipment

16. **FROM THE TOWNSHIP CLERK:**
- a. Liquor License Renewals

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

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

O.1801-2010 AN ORDINANCE AMENDING TITLE 34 OF THE CODE OF THE TOWNSHIP OF EDISON REGARDING REFUSE CONTAINERS/DUMPSTERS AND PRIVATE STORM DRAIN INLET RETROFITTING

19. **COMMUNICATIONS:**
- a. Letter from James and Carol Whalen regarding a traffic problem on Old Post Road – receive and refer to Administration

20. **DISCUSSION ITEMS:**

Council President Karabinchak

- a. Tax Appeals
- b. Oak Tree and Woodland Intersection
- c. Edison Tower
- d. Capital Improvement Plan
- e. Green Technology (plastic bags)
- f. Sewer System Agreement

Councilmember Diehl

None

Councilmember Gomez

None

Councilmember Lankey

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

21. **CLOSED SESSION:**
 - a. Personnel

22. **ADJOURNMENT**

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ABSOLUTE FIRE PROTECTION INCORPORATED FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT

WHEREAS, bids were received by the Township of Edison on May 4, 2012 for Public Bid No. 12-01-29-Uniforms and Equipment-Fire Department and EMT for the Township of Edison; and

WHEREAS, ABSOLUTE FIRE PROTECTION INCORPORATED, 2800 Hamilton Blvd., South Plainfield, NJ 07080, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$361,000.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$361,000.00 by ABSOLUTE FIRE PROTECTION INCORPORATED, 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Uniforms and Equipment-Fire Department and EMT is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$361,000.00, and any other necessary documents, with ABSOLUTE FIRE PROTECTION INCORPORATED.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ATLANTIC TACTICAL FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT- FIRE DEPARTMENT AND EMT

WHEREAS, bids were received by the Township of Edison on May 4, 2012 for Public Bid No. 12-01-29-Uniforms and Equipment-Fire Department and EMT for the Township of Edison; and

WHEREAS, ATLANTIC TACTICAL, 763 Corporate Circle, New Cumberland, PA, 17070, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$104,000.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$104,000.00 by ATLANTIC TACTICAL, 763 Corporate Circle, New Cumberland, PA 17070 for Uniforms and Equipment-Fire Department and EMT is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$104,000.00, and any other necessary documents, with ATLANTIC TACTICAL.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONTINENTAL FIRE & SAFETY INCORPORATED FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT- FIRE DEPARTMENT AND EMT

WHEREAS, bids were received by the Township of Edison on May 4, 2012 for Public Bid No. 12-01-29-Uniforms and Equipment-Fire Department and EMT for the Township of Edison; and

WHEREAS, CONTINENTAL FIRE & SAFETY INCORPORATED, 180 Volusia Ave., Trenton, NJ 08610, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$47,000.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$47,000.00 by CONTINENTAL FIRE & SAFETY INCORPORATED, 180 Volusia Ave., Trenton, NJ 08610 for Uniforms and Equipment-Fire Department and EMT is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$47,000.00, and any other necessary documents, with CONTINENTAL FIRE & SAFETY INCORPORATED.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO W.B. MASON
COMPANY INCORPORATED FOR THE FURNISHING OF SUPPLIES FOR OFFICE
EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on May 23, 2012 for Public Bid No. 12-02-03-Supplies for Office Equipment; and

WHEREAS, W.B. MASON COMPANY INCORPORATED, 21 Commerce Dr., Cranbury, NJ 08512, submitted the lowest legally responsible bid for various items of the 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)).

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

4. All bids have been reviewed, and the bid in the amount of \$30,000.00 by W.B. MASON COMPANY INCORPORATED, 21 Commerce Dr., Cranbury, NJ 08512 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid.
5. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, and any other necessary documents, with W.B. MASON COMPANY INCORPORATED.
6. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SUPPLY SAVER CORPORATION FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 23, 2012 for Public Bid No. 12-02-03 -Supplies for Office Equipment; and

WHEREAS, SUPPLY SAVER CORPORATION, 1324 Wyckoff Rd., Neptune, NJ 07753 submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$1,750.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$1,750.00 by SUPPLY SAVER CORPORATION, 1324 Wyckoff Rd., Neptune, NJ 07753 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,750.00, and any other necessary documents, with SUPPLY SAVER CORPORATION.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO OFFICE NEEDS FOR
THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on May 23, 2012 for Public Bid No. 12-02-03-Supplies for Office Equipment; and

WHEREAS, OFFICE NEEDS, 1120 Raritan Rd., Clark, NJ 07066 submitted the lowest legally responsible bid for various items of the bid; and

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

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

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

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 in the amount of \$25,000.00 by OFFICE NEEDS, 1120 Raritan Rd., Clark, NJ 07066 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents, with OFFICE NEEDS.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SPRUCE INDUSTRIES
FOR THE FURNISHING OF JANITORIAL / INDUSTRIAL / HARDWARE SUPPLIES**

WHEREAS, bids were received by the Township of Edison on March 20, 2012 for Public Bid No. 12-07-30 - Janitorial / Industrial / Hardware Supplies for the Township of Edison; and

WHEREAS, SPRUCE INDUSTRIES, 759 East Lincoln Ave., Rahway, NJ 07065, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$18,000.00, cannot be encumbered at this time; and

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

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

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

7. All bids have been reviewed, and the bid in the amount of \$18,000.00 by SPRUCE INDUSTRIES, 759 East Lincoln Ave., Rahway, NJ 07065 for Janitorial / Industrial / Hardware Supplies is determined to be the lowest legally responsible bid for various items of the bid.
8. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$18,000.00, and any other necessary documents, with SPRUCE INDUSTRIES.
9. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BAYWAY LUMBER
FOR THE FURNISHING OF JANITORIAL / INDUSTRIAL / HARDWARE SUPPLIES**

WHEREAS, bids were received by the Township of Edison on March 20, 2012 for Public Bid No. 12-07-30 – Janitorial / Industrial / Hardware Supplies for the Township of Edison; and

WHEREAS, BAYWAY LUMBER, 400 Ashton Ave., Linden, NJ 07036 submitted the lowest legally responsible bid for various items of the bid; and

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

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

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

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

4. All bids have been reviewed, and the bid in the amount of \$20,000.00 by BAYWAY LUMBER, 400 Ashton Ave., Linden, NJ 07036 for Janitorial / Industrial / Hardware Supplies is determined to be the lowest legally responsible bid for various items of the bid.
5. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, and any other necessary documents, with BAYWAY LUMBER.
6. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO LAWSON PRODUCTS
INCORPORATED FOR THE FURNISHING OF JANITORIAL / INDUSTRIAL / HARDWARE
SUPPLIES**

WHEREAS, bids were received by the Township of Edison on March 20, 2012 for Public Bid No. 12-07-30 – Janitorial / Industrial / Hardware Supplies for the Township of Edison; and

WHEREAS, LAWSON PRODUCTS INCORPORATED, 1666 East Touhy Avenue, Des Plaines, IL 60018, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$18,000.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$18,000.00 by LAWSON PRODUCTS INCORPORATED, 1666 East Touhy Avenue, Des Plaines, IL 60018 for Janitorial / Industrial / Hardware Supplies is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$18,000.00, and any other necessary documents, with LAWSON PRODUCTS INCORPORATED.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO JOHN A. EARL
INCORPORATED FOR THE FURNISHING OF JANITORIAL / INDUSTRIAL / HARDWARE
SUPPLIES**

WHEREAS, bids were received by the Township of Edison on March 20, 2012 for Public Bid No. 12-07-30 – Janitorial / Industrial / Hardware Supplies for the Township of Edison; and

WHEREAS, JOHN A. EARL INCORPORATED, 216-222 Union St., Hackensack, NJ 07601 submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$8,000.00, cannot be encumbered at this time; and

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

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

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 in the amount of \$8,000.00 by JOHN A. EARL INCORPORATED, 216-222 Union St., Hackensack, NJ 07601 for Janitorial / Industrial / Hardware Supplies is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$8,000.00, and any other necessary documents, with JOHN A. EARL INCORPORATED.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CAMPBELL SUPPLY
COMPANY FOR EMERGENCY VEHICLE REPAIRS**

WHEREAS, bids were received by the Township of Edison on May 15, 2012 for Public Bid No.12-10-02, Emergency Vehicle Repairs for the Township of Edison; and

WHEREAS, CAMPBELL SUPPLY COMPANY, 145 Talmadge Rd., Edison, NJ 08817 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$160,000.00 cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid submitted by CAMPBELL SUPPLY COMPANY, 145 Talmadge Rd., Edison, NJ 08817 for Emergency Vehicle Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$160,000.00 any other necessary documents, with CAMPBELL SUPPLY COMPANY as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department's 9-1-1 Communications Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148, has submitted a proposal to provide such services for a one year term for the period of July 1, 2012 – June 30, 2013 at a cost of \$31,203.00; and

WHEREAS, Queues Enforth Development, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit Queues Enforth Development, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$31,203.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 2-01-25-0250-000-026.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$31,203.00, with QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**RESOLUTION AWARDING CONTRACT TO QSEND TECHNOLOGIES FOR THE
MAINTENANCE, SUPPORT AND HOSTING OF THE TOWNSHIP'S WEB-BASED CITIZEN
SERVICE REQUEST MANAGEMENT SOFTWARE**

WHEREAS, the Township of Edison needs to renew the annual maintenance, support and hosting agreement for the web-based citizen service request management software; and

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding in accordance with the Local Public Contracts law at N.J.S.A. 40A:11-5(dd); and

WHEREAS, QSEND TECHNOLOGIES, 231 Bank Street, Waterbury, CT 06702, has submitted a proposal to provide such services for a one year term at a total cost of \$6,887.18 (\$4,487.18 for software maintenance and support and \$2,400.00 for hosting fees); and

WHEREAS, funds in the amount of \$6,887.18 have been certified to be available in the Public Buildings Telephone Account, Number 2-01-31-0440-000-076.

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

5. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$6,887.18, with QSEND TECHNOLOGIES, 231 Bank Street, Waterbury, CT 06702 as set forth above.
6. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).

**RESOLUTION OF THE TOWNSHIP OF EDISON
MIDDLESEX COUNTY, NEW JERSEY
SUPPORTING THE APPLICATION OF
EDISON LAND INVESTMENT, LLC TO THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, Edison Land Investment, LLC is the owner and designated Redeveloper of the 97.8 acre tract of land located adjacent to Route 1 and designated as Block 37.01, 37.02 and 37.03, on the Tax Map of the Township of Edison ("Property"); and

WHEREAS, the Township of Edison on October 12, 2006 adopted Ordinance O.1593-2006 designating the Property as an Area in Need of Redevelopment; and

WHEREAS, the Township of Edison on October 18, 2007 adopted Ordinance O.1593-2007 approving and adopting the Ford Assembly Plant Redevelopment Plan ("Redevelopment Plan") which governs and directs the redevelopment of the Property;

WHEREAS, the Redevelopment Plan requires the redevelopment of the Property to a mix of uses including retail, office, recreation and hotel uses to off-set the loss of tax jobs lost due to the closing and demolition of the Ford Assembly Plant that historically existed on the Property; and

WHEREAS, Edison Land Investment, LLC has proceeded to develop the Project including the Sam's Club, the Route 1 lane and highway access point, stormwater management system, sanitary sewer system and local road improvements on Vineyard Road and Old Post Road; and

WHEREAS, the full redevelopment of the Property is a critical part of Edison's overall economic development programs and the Township of Edison supports the Redevelopment of the Property and the tax ratables and employment to be created thereby; and

WHEREAS, Route 1 is a Federal Highway under the jurisdiction of the NJDOT and that the approval of the Project would provide a benefit to the Township of Edison and all persons utilizing Route 1; and

WHEREAS, the Township of Edison recognizes that due to the fully developed nature of the Route 1 corridor and the limited ability to do major highway improvements, it supports the pending application of Edison Land Investment, LLC for a Highway Access Permit which may include roadway improvements and a fair share monetary contribution to the NJDOT.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Edison that:

1. The Township Council hereby expresses its full support for the Project.
2. The Township Council hereby requests that the New Jersey Department of Transportation process and approve the application of Edison Land Investment, LLC for a Highway Access Permit for the balance, Phase II, of the Project.
3. That a copy of this Resolution be forwarded to the Commissioner of the Department of Transportation with copies to the Governor and Lieutenant Governor of the State of New Jersey.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO DELL MARKETING, LP
FOR THE FURNISHING OF LAPTOP COMPUTERS AND WIRELESS ACCESS POINT FOR
THE MUNICIPAL COUNCIL AND PURCHASING AGENT**

WHEREAS, there is a need to purchase seven laptop computers and wireless access point for the Municipal Council and one laptop for the Purchasing Agent; and

WHEREAS, DELL MARKETING, LP, 1 Dell Way, Round Rock, TX 78682 has been awarded the State Contract Number 70256 under M-0483/WSCA Computer Contract for this purchase; and

WHEREAS, funds in the amount of \$4,441.17 have been certified to be available in Council Books and Publications Account, No. 2-01-20-0110-002-033 and funds in the amount of \$593.74 are available in the Purchasing Computer Hardware and Software Account, Number 2-01-20-0100-003-059; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,034.91 and any other necessary documents, with DELL MARKETING, LP, 1 Dell Way, Round Rock, TX 78682 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. 70256/M-0483.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
SAFE LIFE SECURITY CORP. FOR THE PURCHASE OF A VIDEO AND AUDIO
MONITORING SYSTEM**

WHEREAS, quotes were solicited by the Division of Police for the purchase of video and audio monitoring system designed to monitor critical municipal service counters within the Municipal Complex; and

WHEREAS, SAFE LIFE SECURITY CORP., 500 Craig Road, 2nd floor, Manalapan, NJ 07726 submitted the lowest quote in the amount of \$9,460.00; and

WHEREAS, funds in the amount of \$9,460.00 have been certified to be available in the Sec. 20 Professional Services, Account, No. C-04-04-1424-389-003.

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

1. All quotes have been reviewed, and the quote as submitted by SAFE LIFE SECURITY CORP., 500 Craig Road, 2nd floor, Manalapan, NJ 07726 for the purchase of a video and audio monitoring system, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$9,460.00, and any other necessary documents, with SAFE LIFE SECURITY CORP.

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BAI LAR INTERIOR SERVICES FOR THE FURNISHING OF WINDOW TREATMENTS FOR VARIOUS OFFICES WITHIN THE MUNICIPAL COMPLEX

WHEREAS, there is a need to purchase Window Treatment for various offices within the Municipal Complex; and

WHEREAS, BAI LAR INTERIOR SERVICES, 554 New Brunswick Ave., Fords, NJ 08863, has been awarded State Contract Number 67362 under T-0166 Window Treatments-Blinds, Cubicle Curtain, Shades and Draperies-Supply and Install; 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 \$32,100.00 have been certified to be available in the Sec 20 Costs Account, Number C-04-03-1352-382-007.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$32,100.00 and any other necessary documents, with BAI LAR INTERIOR SERVICES, 554 New Brunswick Ave., Fords, NJ 08863, 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.67362 under T-0166.

RESOLUTION

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

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

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling \$258,523.06.

RESOLUTION

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

Whereas, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$81,044.63 and

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

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

RESOLUTION

WHEREAS, pursuant to N.J.S.A. 54:4.3-30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, CHARLES MESSICK, is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to March 2, 2012; and

WHEREAS, real estate taxes on the property known as Block 690.S Lot 5, 40 BEECHWOOD AVE, have been billed for 1st and 2nd quarters of 2012 and they has been paid in full; and

WHEREAS, pursuant to N.J.S.A. 54:4-32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that property taxes on Block 690.S Lot 5, assessed to CHARLES MESSICK, be cancelled for the full amount of the 2nd quarters of 2012 (\$2,014.25), and for the pro-rated amount of the 1st quarter of 2012 that corresponds to the time period from March 2, 2012 thru March 31, 2012 (\$664.04).

BE IT FURTHER RESOLVED that the proper Township Officials are hereby authorized to issue a check to the order of CHARLES MESSICK for taxes he paid for this time period in the amount of \$2,678.29.

RESOLUTION

Whereas, on a property located within the Township of Edison, known as block 498, lot 38.01, a.k.a. 673 WOOD AVE, being owned by YANICK,P&A(EST OF) C/O FRANK YANICK, a tax sale certificate # 06-457 was sold to Isaac Moradi on 6/22/06; and

Whereas, there was a mayor subdivision in 2005 in block 498 which deleted lots 36, 37, 38, 39.B & 41, and established lots 36.01, 37.01, 38.01, 38.02, 38.03, 40.01, 40.02, 40.03, 40.04, 41.01, & 41.02; and

Whereas, the Tax Certificate was created for unpaid sewer charges related to 2004 water consumption on one of the deleted lots, such charges were erroneously moved to the new established lot 38.01 at the time of implementing the subdivision; and

Whereas, property owner has made application to the Tax Collector for a removal of the Tax Certificate from his property, as he successfully proofed that the sewer charges that belong to his property were paid in full; and

Whereas, The Tax Collector advises that the Tax Certificate # 06-00457 needs to be cancelled as the property for which the charges were bill, does not exist in the assessment books any longer.

Whereas, the Tax Collector hereby recommends that, upon cancellation of the tax sale certificate, the lien holder, Isaac Moradi is entitled to a reimbursement totaling \$483.27 which consists of his payment for the certificate total of \$158.59, subsequent payments of \$121.09, interest of \$151.59 at the legal interest rate together with fees of \$52.00;

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison that the appropriate Municipal Officers be hereby authorized to execute a cancellation and discharge of the aforementioned Tax Sale Certificate # 06-457.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the Director of Finance shall and is hereby authorized to draw a check to Isaac Moradi in the total amount of \$483.27.

RESOLUTION ADOPTING AMENDED

TRUST FUND SPENDING PLAN

WHEREAS, the New Jersey Supreme Court and the New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301, *et seq.* (“FHA”) that every municipality in New Jersey has an affirmative obligation to facilitate the provisions of affordable housing; and

WHEREAS, the New Jersey Council on Affordable Housing (“COAH”) is the State administrative agency that was created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing in accordance with sound regional planning considerations; and

WHEREAS, in Holmdel Builder’s Ass’n v. Holmdel Township, 121 N.J. 550 (1990), the Supreme Court determined that municipalities are authorized under the FHA to assess and collect mandatory affordable housing development fees from developers of commercial and non-inclusionary residential development projects subject to the rules and regulations of COAH; and

WHEREAS, pursuant to its power under FHA, COAH has adopted regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal Affordable Housing Trust Funds and corresponding spending plans, currently set forth in its revised Third Round Rules, N.J.A.C. 5:96 and 5:97; and

WHEREAS, in accordance with the FHA and COAH rules, the Township received a Judgment of Compliance from the Court on December 3, 2003 and received prior approval to maintain an Affordable Housing Trust Fund on May 8, 2000; and

WHEREAS, the Township filed an adopted Housing Element and Fair Share Plan on December 30, 2008 that was not certified because there were objectors to the plan and the Appellate Division invalidated most of COAH’s Third Round Rules; and

WHEREAS, notwithstanding the New Jersey Superior Court Appellate Division decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, et al., 416 N.J. Super 462 (App. Div. 2010) which invalidated portions of COAH's revised Third Round Rules, the Township is moving forward with new and expanded affordable housing opportunities; and

WHEREAS, the Township wishes to amend its Spending Plan in order to commit funds in its Affordable Housing Trust Account for new and expanded affordable housing programs within the Township.

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

1. The Township of Edison hereby adopts and approves an amended Trust Fund Spending Plan dated June 2012. Said Spending Plan is attached hereto as Exhibit A and made a part hereof.
2. A certified true copy of this Resolution together with the amended Spending Plan shall be filed by the Municipal Clerk with the New Jersey Council on Affordable Housing, 101 South Broad Street, P.O. Box 813, Trenton, New Jersey 08625-0813 upon its adoption.

EXPLANATION: This resolution provides for Resident refund of the construction permit fee, less the DCA fee, and less 20% plan review fee posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on July 8, 2010, a Construction (Building) Permit fee, check #2816, permit # 2010-2124, was posted in the total amount of \$104.00 by the homeowners Simon and Tamara Goldburt; and

WHEREAS, the application was submitted to replace a water treatment unit at 32 Peru Street by the hired contractor; Napolitano Brothers, who did not end up performing the work paid for on construction permits; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was never performed; it is therefore appropriate that the municipal permit fee in the amount of \$82.00, derived from the \$104.00 total construction permit fee less the \$1.00 DCA fee, and less \$21.00 for 20% plan review fee, be refunded to the Homeowners Simon & Tamara Goldburt, residing at 32 Peru Street, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2010-2124, in the amount of \$82.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$82.00 on construction permit fees posted by homeowners, Simon & Tamara Goldburt at 32 Peru Street be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$82.00 from the Refund of Revenue Fund to the Homeowners, Simon & Tamara Goldburt, 32 Peru Street, Edison, NJ 08820.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, a Performance Bond #1816535 of Hanover Insurance Company was posted on April 13, 2009, by 3775 Park Avenue Associates LLC, in the amount of \$848,536.29, to guarantee the installation of improvements for the project known as 3775 Park Avenue Associates LLC, located at 3775 Park Avenue, in Block 495 and Lot 2, and designated as Application #P65-07/08; and

WHEREAS, a Cash Performance Bond check #11-11405 was posted on June 2, 2009 by 3775 Park Avenue Associates LLC in the amount of \$94,291.84, on deposit in account #7760013382; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a 70% bond reduction is in order; and

WHEREAS, it is the recommendation of the Township Engineer that the Performance Bond be reduced by 70% from \$848,536.29 to \$254,560.88, or 30% of the original amount; therefore **refunding the amount of \$593,975.41**; and

WHEREAS, it is further the recommendation of the Township Engineer that the Cash Performance Bond be reduced by 70%, from \$94,291.84 to \$28,287.55, or 30% of the original amount, therefore **refunding the amount of \$66,004.29, plus accrued interest, if applicable; and**

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Performance Bond hereinabove mentioned be reduced to \$254,560.88, by virtue of a substitute bond or endorsement to the Performance Bond presently in place, until such time as Final Acceptance is granted.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to **refund the sum of \$66,004.29, plus accrued interest, if applicable on deposit in Account #7760013382** to 3775 Park Avenue Associates LLC having offices at 87 West Passaic Street, Rochelle Park, N.J. 07662 with the sum of \$28,287.55 remaining on deposit until such time as Final Acceptance is granted.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Township of Woodbridge as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$638,751.44.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2012 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,932.86 in total for the administration of the grant; and

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

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Woodbridge Township's Department of Planning & Development, acting as Project Sponsor, to carry-out the TBRA in the following MSA areas: Middlesex and Somerset Counties; and

WHEREAS, a total of \$638,751.44 will be allocated to Woodbridge Township's Department of Planning & Development as Program Sponsor of which Edison Township will receive 3 percent or \$19,162.54 of this allocation as Administrator of the HOPWA grant program and funds; and

WHEREAS, Woodbridge Township's Department of Planning & Development will receive a total allocation of \$619,588.90 for the 2012 program year of which \$576,217.68 will be used for rental assistance and 7 percent or \$43,371.22 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Department of Planning & Development**, Township of Woodbridge, 1 Main Street, Woodbridge, NJ 07095, in an amount not to exceed \$619,588.90 to administer the HOPWA Grant in Middlesex and Somerset Counties, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.
3. That the Municipal Clerk shall forward a copy of this Resolution to the Ocean County Board of Social Services and the CDBG Coordinator.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Monmouth County Division of Social Services as a Program Sponsor to provide rental assistance to 46 persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$506,595.97.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2012 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,932.86 in total for the administration of the grant; and

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

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Monmouth County Division of Social Services, acting as Project Sponsor, to carry-out the TBRA in the following MSA areas: Monmouth County; and

WHEREAS, a total of \$506,595.97 will be allocated to Monmouth County Division of Social Services as Project Sponsor of which Edison Township will receive 3 percent or \$15,197.88 of this allocation as Administrator of the HOPWA grant program; and

WHEREAS, Monmouth County's Division of Social Services will receive a total allocation of \$491,398.09 for the 2012 program year of which \$457,000.22 will be used for rental assistance and 7 percent or \$34,397.87 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Monmouth County Department of Human Services**, Kozolski Road, PO Box 3000, Freehold, NJ 07728, in an amount not to exceed \$619,588.90 to administer the HOPWA Grant in Monmouth County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.
3. That the Municipal Clerk shall forward a copy of this Resolution to the Monmouth County Division of Social Services and the CDBG Coordinator.

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the County of Ocean as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$352,414.59.

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

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2012 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,932.86 in total for the administration of the grant; and

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

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Ocean County Board of Social Services, acting as Project Sponsor, to carry-out the TBRA in the following MSA areas: Ocean County; and

WHEREAS, a total of \$352,414.59 will be allocated to Ocean County Board of Social Services Program Sponsor of which Edison Township will receive 3 percent or \$10,572.44 of this allocation as Administrator of the HOPWA grant program and funds; and

WHEREAS, Ocean County Board of Social Services will receive \$341,842.15 for the 2012 program year of which \$317,913.20 will be used for rental assistance and 7 percent or \$23,928.95 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Ocean County Board of Social Services**, 1027 Hooper Avenue, PO Box 547, Toms River, NJ 08754-0547, in an amount not to exceed \$341,842.15 to administer the HOPWA Grant in Ocean County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk and Division of Community Development.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.
3. That the Municipal Clerk shall forward a copy of this Resolution to the Ocean County Board of Social Services and the CDBG Coordinator.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO LOUIS BARBATO
LANDSCAPING INCORPORATED FOR 2012 PARK PLAYGROUND EQUIPMENT
INSTALLATION AT MICHAEL DUDASH PARK**

WHEREAS, bids were received by the Township of Edison on April 27, 2012 for Public Bid No. 12-19-01, 2012 Park Playground Equipment Installation at Michael Dudash Park; and

WHEREAS, LOUIS BARBATO LANDSCAPING INCORPORATED, 1600 Railroad Ave., Holbrook, NY 11741 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract shall not exceed \$13,552.50; and

WHEREAS, funds in the amount of \$13,552.50 have been certified to be available in the Park Improvement Expenditures Account, Number T-23-00-0000-000-001.

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 LOUIS BARBATO LANDSCAPING INCORPORATED, 1600 Railroad Ave., Holbrook, NY 11741 for 2012 Park Playground Equipment Installation at Michael Dudash Park, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$13,552.50, and any other necessary documents, with LOUIS BARBATO LANDSCAPING INCORPORATED as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of 400 Route 1, LLC, Application # P28-09/10, located at 400 Route 1 North, in Block 239, Lot 3-E, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Certificate of Occupancy was issued on April 19, 2012, also, the required two year Maintenance Bond was posted on May 11, 2012; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No. 5038294 of Bond Safeguard Insurance Company posted on January 5, 2011 in the amount of \$16,556.40 with the Township of Edison, principal being 400 Route 1, LLC and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #1413051 posted on January 5, 2011 in the amount of \$1,839.60, plus accrued interest, if applicable, on deposit in account #7761417059 with the Township of Edison, principal being 400 Route 1, LLC having offices at 940 Amboy Avenue, Suite 101, Edison, N.J. 08837, 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 Performance Bond in the amount \$16,556.40 to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$1,839.60, plus accrued interest, if applicable, on deposit in account #7761417059 to the applicant.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO DC GROUP,
INCORPORATED FOR THE FURNISHING OF UPS MAINTENANCE AND REPAIR**

WHEREAS, bids were received by the Township of Edison on May 16, 2012 for Public Bid No. 12-04-23-UPS Maintenance and Repair for the Township of Edison; and

WHEREAS, DC GROUP, INCORPORATED, 1977 West River Road North, Minneapolis, MN 55411, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$15,299.76 (\$7,799.76 for yearly maintenance and \$7,500.00 for repairs, if needed), cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid in the amount of \$15,299.76 by **DC GROUP, INCORPORATED**, 1977 West River Road North, Minneapolis, MN 55411 for UPS Maintenance and Repair is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$15,299.76, and any other necessary documents, with **DC GROUP, INCORPORATED**.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION AWARDING AN EMERGENCY CONTRACT TO CONTROL TEMP
MECHANICAL SERVICES FOR THE FURNISHING OF A CHILLER AT THE MUNICIPAL
COMPLEX**

WHEREAS, an emergency condition exists in which the existing absorption chiller which supplies approximately 60% of the Municipal Complex with air conditioning failed and needs to be replaced; and

WHEREAS, emergency quotes were solicited by the Department of Public Works for a replacement 250 ton McQuay chiller; and

WHEREAS, AUGUST ARACE & SONS, INCORPORATED, 642 Third Avenue, PO BOX 24, Elizabeth, NJ 07202 quoted a price of \$225,895.00 and CONTROL TEMP MECHANICAL SERVICES, 1260 Centennial Avenue, Piscataway, NJ 08854 quoted a price of \$220,595.00; 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, funds in the amount of \$220,595.00 have been certified to be available in the Deferred Charge - Emergency Account Number 2-01-46-0877-000-020.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$220,595.00, and any other necessary documents, with CONTROL TEMP MECHANICAL, 1260 Centennial Avenue, Piscataway, NJ 08854.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**RESOLUTION ACCEPTING AWARDING CONTRACT/PURCHASE ORDER TO KENNEDY
EVENT SERVICES INCORPORATED FOR STAGING, SOUND, LIGHTING AND TENT
PACKAGE AT EDISON FALL FAMILY SPECTACULAR**

WHEREAS, The Township of Edison will be hosting the Edison Fall Family Spectacular on September 8th at Papaiani Park; and

WHEREAS, the Department of Recreation solicited quotes to provide services for staging, sound, lighting and tent package for said event; and

WHEREAS, KENNEDY EVENT SERVICES, INCORPORATED, Cokesbury Road Industrial Park, 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833, was the only vendor who could provide the complete package; and

WHEREAS, funds in the amount of \$12,340.01 have been certified to be available in the Celebration of Public Events Expense Account, No. 2-01-30-0420-000-020.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that the Mayor, or her designee, is hereby authorized to execute a contract/purchase order with KENNEDY EVENT SERVICES, INCORPORATED, Cokesbury Road Industrial Park, 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833 as described herein.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO THIS IS IT PRODUCTIONS
FOR A STAGE PRODUCTION PACKAGE AT THE EDISON FALL FAMILY SPECTACULAR**

WHEREAS, The Township of Edison will be hosting the Edison Fall Family Spectacular on September 8th at Papaianni Park; and

WHEREAS, the Department of Recreation solicited quotes to provide a stage production package for items such as banners, lawn signs, badges, etc. for said event;

WHEREAS, THIS IS IT PRODUCTIONS, INCORPORATED, 720 Monroe Street, Studio E303, Hoboken, NJ 07030 was the only vendor who could provide the complete package; and

WHEREAS, funds in the amount of \$5,342.00 have been certified to be available in the Celebration of Public Events Expense, Account, No. 2-01-30-0420-000-020.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that the Mayor, or her designee, is hereby authorized to execute a contract/purchase order with THIS IS IT PRODUCTIONS, INCORPORATED, 720 Monroe Street, Studio E303, Hoboken, NJ 07030 as described herein.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO PICCADILLY CIRCUS FOR
OVERPAYMENT OF A TENT PERMIT.**

WHEREAS , Piccadilly Circus made out a permit for a 2012 Tent Permit in the amount of \$900.00 for the circus that was at St. Matthews.

WHEREAS, in accordance with the Code of the Township of Edison, the appropriate fee for a 900 sq.ft. tent is \$100.00.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$800.00 to Piccadilly Circus, 650 Central Avenue #1, Sarasota, Fl 34236 which represents the amount of overpayment for the tent.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
BEACH CAMERA FOR THE PURCHASE OF CAMERA EQUIPMENT FOR THE DIVISION OF
POLICE**

WHEREAS, quotes were solicited by The Division of Police for the purchase of Nikon Cameras and Equipment; and

WHEREAS, BEACH CAMERA, 80 Carter Drive, Edison, NJ 08817 submitted the lowest quote in the amount of \$17,371.00; and

WHEREAS, funds in the amount of \$17,371.00 have been certified to be available in the Assist. To Fire Fighter Grant, Account, No. G-02-11-0100-860-000.

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

1. All quotes have been reviewed, and the quote as submitted by BEACH CAMERA, 80 Carter Drive, Edison, NJ 08817 for the purchase of Nikon Cameras and Equipment, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$17,371.00, and any other necessary documents, with BEACH CAMERA.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HEWLETT PACKARD
COMPANY FOR THE FURNISHING OF COMPUTER EQUIPMENT FOR THE TOWNSHIP OF
EDISON, DIVISION OF POLICE**

WHEREAS, there is a need to purchase computer equipment for the Division of Police;
and

WHEREAS, HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE 68154, 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, the total amount of this contract, not to exceed \$15,000.00, cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$15,000.00 and any other necessary documents, with HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE, 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.

RESOLUTION

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2012; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2012, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2012.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-002-006	KMT Caterers, LLC t/a The Rosewood Manor 2863 Woodbridge Avenue	Edison, NJ 08837
1205-33-003-002	Chestnut Inn, Inc. t/a Chestnut Inn 1905 Woodbridge Avenue	Edison, NJ 08817
1205-33-004-005	Akaibana Restaurant, Inc. t/a Benihana of Edison 60 Parsonage Road	Edison, NJ 08817
1205-33-005-006	Sondek Inc. t/a Richie's Sports Bar and Liquors 1 Vineyard Road and Johnstone Street	Edison, NJ 08817
1205-33-006-006	Anthony's Coal Fired Pizza t/a Anthony's Coal Fired Pizza 80 Parsonage Road	Edison, NJ 08837
1205-33-007-003	Green Derby Inc. t/a Green Derby 2024 Woodbridge Avenue	Edison, NJ 08817
1205-33-008-005	Royal Garden, Inc. T/A Royal Garden 518 Old Post Road	Edison, NJ 08817
1205-33-010-004	New Orleans Liquor, LLC t/a Skylark Diner 17 Wooding Avenue	Edison, NJ 08817
1205-33-011-010	Pine Liquor License, LLC t/a Pines Manor 2085 Route 27	Edison, NJ 08817
1205-33-013-010	Norstar & Company LLC T/A Grand Shanghai Chinese Restaurant and Bar 700 US Route 1 North	Edison, NJ 08817
1205-33-016-009	Rainforest Café Inc. t/a Rainforest Cafe	Edison, NJ 08837

	100 Menlo Park Mall	
1205-33-018-004	Cheesecake Factory Menlo Park Mall 455 Parsonage Road	Edison, NJ 08837
1205-33-020-010	Apple Food Services t/a Applebee's Neighborhood Grill & Bar 1045 Route 1 South	Edison, NJ 08817
1205-33-022-004	Nine J's Inc. t/a Rick's & Bill's Corner Pub 3 Meadow Road	Edison, NJ 08817
1205-33-023-005	Mac Acquisition, LLC t/a Romano's Macaroni Grill 1521 Route 1	Edison, NJ 08837
1205-33-024-001	Plainfield Country Club Woodland & Inman Avenue Edison, NJ 08820	PO Box 311 Plainfield, NJ 07061
1205-33-025-008	Champps Entertainment t/a Champps Americana 418 Menlo Park Mall	Edison, NJ 08837
1205-33-027-007	Nordstrom, Inc. t/a Café Nordstrom 449 Menlo Park	Edison, NJ 08837
1205-33-028-005	Savi Enterprises, LLC T/A Mirage Banquet Hall 1655/130 - 155 Oak Tree Road	Edison, NJ 08820
1205-33-029-005	Akbar Lounge, LLC t/a Akbar Lounge 21 Cortland Street	Edison, NJ 08837
1205-33-032-004	Brinker New Jersey, Inc. T/A Chili's Southwest Grill & Bar 1671 Oak Tree Road	Edison, NJ 08820
1205-33-035-006	Elio's Inc. t/a Elio's Ristorante 1065-67 Inman Avenue	Edison, NJ 08820
1205-33-049-007	Outback Steakhouse of FL t/a Outback Steakhouse 481 US Highway 1	Edison, NJ 08817
1205-33-058-002	Fox and Hound of NJ, Inc. t/a Fox and Hound Pub & Grille 250 Menlo Park Drive	Edison, NJ 08837
1205-33-063-003	AMC Theaters of NJ, Inc t/a AMC Theaters Menlo Park 12 55 Parsonage Ste 390	Edison, NJ 08817 Road

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on June 30, 2012, for which

the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2012.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-056-002	Hersha Hospitality Management t/a Hilton Garden Inn Edison/Raritan 50 Raritan Center Parkway	Edison, NJ 08837
1205-36-065-011	BPG Hotel XXXIII Owner, LLC t/a Sheraton Edison Raritan Center 125 Raritan Center Parkway	Edison, NJ 08817

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Distribution Licenses expiring on June 30, 2012, for which the required fee \$2,399.26 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2012.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-005	888 Route 22, Inc t/a The Liquor Locker/Super Saver Liquors 1701 Oak Tree Road	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corp. t/a Costco Warehouse #323 2210 Route 27 North	Edison, NJ 08817
1205-44-033-003	Donald P. Vincz t/a Vincz's Food and Liquors 1066 Amboy Avenue	Edison, NJ 08837
1205-44-036-005	YT & T Inc. t/a Harvest Wines & Spirits 2370 Woodbridge Avenue	Edison, NJ 08817
1205-44-059-002	VW & Sons, Inc. t/a VW Liquors 561 US Route 1	Edison, NJ 08817
1205-44-061-002	YSS&D, Inc t/a Edison Discount Wine & Spirits 144-146 Talmadge Road	Edison, NJ 08817
1205-44-064-004	Rishrik, LLC t/a Wineoland 1199 Amboy Avenue	Edison 08837

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2012, for which are required fee of \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2012.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-037-001	American Legion Father & Sons Post 435 43 Oakland Avenue	Edison, NJ 08817
1205-31-038-001	Clara Barton Post #324 Club, Inc. American Legion	Edison, NJ 08837

156 Brower Avenue

1205-31-039-001	Columbian Club of Edison 71 Council Place	PO Box 213 Edison, NJ 08818
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-046-001	Loyal Order of Moose Edison Lodge 1978 410 Talmadge Road	Edison, NJ 08817
1205-31-050-001	Edison Lodge No. 2487 BPOE of the USA 375 Old Post Road	PO Box 2 Edison, NJ 08818

EXPLANATION: This Ordinance adds Section 34-3.A entitled “Refuse Containers / Dumpsters” and Section 34-9 entitled “Private Storm Drain Inlet Retrofitting” to Chapter XXXIV entitled “Stormwater Pollution Prevention Plan”.

TOWNSHIP OF EDISON

ORDINANCE O.1801-2012

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

SECTION 1. Section 34-3.A entitled “Refuse Containers / Dumpsters” and Section 34-9 entitled “Private Storm Drain Inlet Retrofitting” are hereby individually added to the Table of Contents under Chapter XXXIV entitled “Stormwater Pollution Prevention Plan”.

SECTION 2. Section 34-3.A entitled “Refuse Containers / Dumpsters” is hereby added to the Municipal Code of the Township of Edison, under Chapter 34 – Stormwater Pollution Prevention Plan, to read as follows:

34-3.A REFUSE CONTAINERS / DUMPSTERS

34-3.A.1 Purpose.

The purpose of this section is to establish requirements for dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Edison and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

34-3.A.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

34-3.A.3 Prohibited Conduct.

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Edison.

34-3.A.4 Exceptions to Prohibition.

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

34-3.A.5 Enforcement.

This section shall be enforced by the Edison Township Division of Police, and Department of Health and Human Services of the Township of Edison.

34-3.A.6 Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars.

SECTION 3. Section 34-9 entitled “Private Storm Drain Inlet Retrofitting” is hereby added to the Municipal Code of the Township of Edison, under Chapter 34 – Stormwater Pollution Prevention Plan, to read as follows:

34-9 PRIVATE STORM DRAIN INLET RETROFITTING

34-9.1 Purpose.

The purpose of this section is to establish the requirements for the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Edison so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

34-9.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Edison or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

34-9.3 Prohibited Conduct.

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. *Already meets the design standard below to control passage of solid and floatable materials; or*

2. Is retrofitted or replaced to meet the standard in Section 34-9.4 below prior to the completion of the project.

34-9.4 Design Standard.

Storm drain inlets identified in Section 34-9.3 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 34-9.4.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

34-9.5 Enforcement.

This section shall be enforced by the Department of Planning and Engineering of the Township of Edison.

34-9.6 Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION 4. This ordinance shall take effect twenty (20) days after adoption, publication and approval by Mayor in accordance with N.J.S.A 40:69A-181(b).

SECTION 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.