

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

**October 8, 2014**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, October 8, 2014. The meeting was called to order at 7:06 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Karabinchak, Lombardi and Shah.  
Councilmembers Mascola and Prasad were absent.  
Councilmember Gomez entered at 7:08 p.m.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliot, Township Engineer Medina, Recreation Director Halliwell, Police Captain Fresco, Fire Chief Latham.

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 14, 2013, and posted in the Main Lobby of the Municipal Complex on the same date.

**APPROVAL OF MINUTES:**

On a motion made by Councilmember Diehl, seconded by Councilmember Lombardi, and duly carried, the Minutes of Worksession Meeting of September 8, 2014 and Closed Session Meeting of September 22, 2014, were accepted as submitted.

**COUNCIL PRESIDENT'S REMARKS**

Council President Karabinchak said in the last few months the Council and Administration have approved major infrastructure repairs. He said Edison was just awarded the Safe Corridors grant. He said they are proud to be a part of this and will continue to do their best for the citizens of Edison.

**APPROVAL OF VOLUNTEER FIREFIGHTERS:**

Applications for membership were received by:

Raritan Engine Company #1  
Michael Olsen

Raritan Engine Company #2  
Alex Lincho  
Tony Lincho

Oak Tree Volunteer Fire Company  
Mitchell Dean

A motion was made by Councilmember Diehl, seconded by Councilmember Lombardi, 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 September 22, 2014, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1881-2014**                      AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT  
IN RARITAN CENTER FOR RAILWAY IMPROVEMENTS.

(The above Ordinance O.1881-2014 can be found in its entirety in Ordinance Book # 27.)

Council President Karabinchak declared the Public Hearing opened for O.1881-2014.

Bob Spiegel, 206 Tyler Road, asked what the size of the easement is.

Mr. Northgrave said he believes it is around 40 feet and this simply formalizes an existing agreement.

Mr. Spiegel asked if it is an active rail line and where it is located.

Mr. Northgrave commented that it is an active rail line and there is a map attached.

Mr. Spiegel said he would like to know if this is a wetland area and he asked the Council to table this until we know exactly where this is.

Councilmember Diehl said this is a routine item with no detriment to the Township and he sees no reason to table this.

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

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

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

NAYS - None  
Councilmembers Mascola, and Prasad were absent.

**NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR OCTOBER 22, 2014.**

**O.1882-2014**                      ORDINANCE AMENDING CHAPTER II OF THE TOWNSHIP CODE TO EXPAND THE PURPOSES OF THE TOWNSHIP'S SELF INSURANCE FUND TO COVER EMPLOYEE HEALTH BENEFITS.

Ordinance O.1882-2014 was pulled from the agenda by the Administration.

**O.1883-2014**                      AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF CABLE TELEVISION SYSTEM WITH THE TOWNSHIP OF EDISON, NEW JERSEY TO CSC TKR, LLC d/b/a CABLEVISION OF RARITAN VALLEY.

On a motion made by Councilmember Lombardi, 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 October 22, 2014.

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

NAYS - None  
Councilmembers Mascola, and Prasad was absent.

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Karabinchak opened the meeting to the public for comments on Proposed Resolutions R.547-102014 through R.562-102014

Walt Shneer, Park Way, on Resolution R.559-102014, he asked who pays for the fireworks.

Ms. Runae said the organization holding the event pays for the fireworks.

Esther Nemitz, 162B Fay Street, on Resolution R.552-102014, asked if this is for a new planner and will this include open space as the Open Space committee would be interested in this.

Mr. Northgrave said the Township is looking to get an overview of areas that are eligible under the Local Redevelopment Housing Law. He said the goal of the planner will be to see what areas would benefit from redevelopment.

Ms. Nemitz asked if it will include open space.

Mr. Northgrave said not in this scope. It will only look at areas to see if they meet the criteria in the Local Redevelopment Law.

Ms. Nemitz said the Open Space Committee has areas they are interested in and they should be told if any of these areas are included.

Council President Karabinchak said we are looking at our older antiquated buildings.

Bob Spiegel, 206 Tyler Road, on Resolution R.552-102014, he asked the scope of the work and how well defined it is for \$80,000. He asked if they provided a list of principals.

Council President Karabinchak said this went out for bid and there is a list of principals. He also said they had the highest rating and the most experience.

Mr. Spiegel asked what experience they have with a municipality this size.

Council President Karabinchak said they have experience with larger municipalities with more blighted areas.

Mr. Spiegel commented that we have lots of contaminated areas that need to be remediated. He felt it would be nice if the company came to a Council meeting so the public could ask questions and see who they are.

Council President Karabinchak said he understands his concerns but twenty five bids were sent out and only three came back. He said Edison has a bad reputation of people not wanting to do business here. He said we are trying to change that.

Fred Wolke, 10 Peake Road, on Resolution R.551-102104 he asked if this is our current insurance broker and he felt this was quite an increase over last year.

Ms. Ruane said this is our current broker and the increase is quite low.

Mr. Wolke asked for an explanation of Resolution R.553-102014.

Mr. Northgrave said that Resolution R.553-102914 is being pulled from the agenda as it needs re-working.

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

Resolution R.553-102014 was pulled from the Consent Agenda by the Administration.

The following Resolutions R547-102014 through R.552-102014 and R.554-102014 through 562-102014 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Gomez.

#### **RESOLUTION R. 547-102014**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING OCTOBER 2, 2014

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through October 2, 2014

FUND	AMOUNT
Current	\$10,401,969.69
Affordable Housing	15,635.63
Capital	297,825.00
Cash Performance	241,805.03
CDBG	53,772.27
Developers Escrow	157,823.74
Dog (Animal Control)	10,789.14
Federal Forfeited	0.00
Grant Funds	21,478.00
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	55,018.64
Sanitation Fund	106,835.75
Sewer Utility	65,876.85
Tax Sale Redemption	12,902.46
Street Opening	480.00
Tree Planting	4,080.00
Trust	22,886.09
<b>TOTAL</b>	<b>\$11,469,178.29</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 548-102014**

**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 **\$23,670.19**.

**RESOLUTION R.549-102014**

**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 \$2,803.29 and

**WHEREAS**, the attached listing is a detail of the requested refunds.

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

**RESOLUTION R.550-102014**

**Authorizing Overpayment Refund for Sewer Charges**

**WHEREAS**, the Tax Collector of the Township of Edison reports and advises that on a property located within the Township of Edison, known and described as follow, overpayments of Sewer Use Charges have been made due to a corrected billing resulted from the erroneous water consumption information that was received from the water company. Payment amounts were then greater than the total corrected amount billed to them for the year **2014**:

PROPERTY OWNER	<b>PETERCSAK, DAWN &amp; ALABADO, GLENN</b>
PROPERTY LOCATION	<b>13 IDLEWILD RD</b>
BLOCK / LOT / QUALIFIER	<b>1106 / 14</b>
SEWER ACCOUNT:	<b>21937-0</b>

**WHEREAS**, An application have been made to the Tax Collector for refunds of said overpayments, and the Tax Collector advises that the property owner is entitled to a refund totaling **\$545.47**.

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison that the appropriate official of the Township of Edison shall and is hereby authorized to draw a check to the property owner or legal representative party in the amount of **\$545.47**.

**RESOLUTION R.551-102014**

**RESOLUTION AWARDING CONTRACT TO CBIZ BENEFITS AND INSURANCE SERVICES, INC.  
FOR INSURANCE BROKER**

**WHEREAS**, the Township of Edison advertised on the Township website for Request for Proposals on August 5, 2014, for RFP 14-04, INSURANCE BROKER for a bid opening date of August 15, 2014 and six (6) proposals were received with one being rejected; and

**WHEREAS**, after review and evaluation of said bids it has been recommended by the Evaluation Committee that the contract be awarded to CBIZ BENEFITS AND INSURANCE SERVICES, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 at a price of \$3.00 per employee per month for this two year contract; and

**WHEREAS**, the total amount of this two year contract, not to exceed \$86,000.00 (\$43,000.00 per year) cannot be encumbered at this time; and

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

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

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

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

1. All proposals have been reviewed, and the proposal as submitted by CBIZ BENEFITS AND INSURANCE SERVICES, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 is determined to be the lowest, responsible, responsive proposal for an INSURANCE BROKER.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$86,000.00, and any other necessary documents, with CBIZ BENEFITS AND INSURANCE SERVICES, INC. in accordance with their proposal.

**RESOLUTION R.552-102014**

**RESOLUTION AWARDING CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR REDEVELOPMENT PLANNER**

**WHEREAS**, the Township of Edison advertised on the Township website for Request for Proposals on July 16, 2014, for RFP 14-02, REDEVELOPMENT PLANNER for a bid opening date of July 30, 2014 and four (4) proposals were received with one being rejected for failure to complete required forms; and

**WHEREAS**, after review and evaluation of said bids it has been recommended by the Evaluation Committee that the contract be awarded to HEYER, GRUEL & ASSOCIATES, 236 Broad Street, Red Bank, NJ 07701; and

**WHEREAS**, the total amount of this contract, not to exceed \$80,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All proposals have been reviewed, and the proposal as submitted by HEYER, GRUEL & ASSOCIATES, 236 Broad Street, Red Bank, NJ 07701 is determined to be the lowest, responsible, responsive proposal for a REDEVELOPMENT PLANNER.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$80,000.00, and any other necessary documents, with HEYER, GRUEL & ASSOCIATES in accordance with their proposal.

**RESOLUTION R.554-102014**

**WHEREAS**, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty two years ago; and

**WHEREAS**, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

**WHEREAS**, the H-Mart Foundation has grant funds available, through its Local Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations and agencies of the communities H-Mart stores serve, for which it continues to solicit on-line and hardcopy requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$10,000.00 from the H-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its EMA/BRIDGES Teen Arts Program and Summer Program; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the H-Mart Foundation; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the H-Mart Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, October 8, 2014.

**RESOLUTION R.555-102014**

**WHEREAS**, the Edison Department of Health and Human Services, through the Edison Municipal Alliance (EMA), established the noted BRIDGES (Building Relationships In Diversified Groups of Edison Students) program 18+ years ago, which it continues to effectively administer for the documented benefit of local students and their families to encourage positive, healthy behavior as an alternative to deleterious and potentially dangerous conduct and activities; and

**WHEREAS**, the Middlesex County Cultural & Heritage Commission recently distributed a Request For Proposals for the 2015 Program Grants in the ARTS, as funded by the Middlesex County Cultural & Heritage Commission, Middlesex County Board of Chosen Freeholders, NJ State Council of the Arts/NJ Department of State and the US National Endowment for the Arts; and

**WHEREAS**, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, intends to apply for grant funding for a maximum amount of \$10,000.00 from the Middlesex County Cultural & Heritage Commission 2015 Program Grants in the ARTS, as it will help to further strengthen its mission, focus and vision through an artistic and creative format; and

**WHEREAS**, EMA/BRIDGES will provide the requisite \$.50 cash match funds to each \$1.00 of MCCHC grant funds from public and/or private grants, for a maximum cash match amount of \$5,000.00, which is being sought from private and public sources; and

**WHEREAS**, EMA/BRIDGES will also document in-kind values in relation to MCCHC grant funds from public and/or private resources; and

**WHEREAS**, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, will utilize all grant funds awarded by the Middlesex County Cultural & Heritage Commission 2015 Program Grants in the ARTS activities as described in its application for said funds and in compliance with all applicable Middlesex County and New Jersey agency requirements, guidelines, regulations and statutes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of said grant application at a regularly-scheduled, Public Meeting on the evening of Wednesday, October 6, 2014.

**RESOLUTION R.556-102014**

**EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Macy's Corporate Services, Inc. with respect to the property identified as Block 390-C, Lot 20 as shown on the Edison Township tax map.**

**WHEREAS**, the property identified as Block 390-C, Lot 20 as shown on the tax map of the Township of Edison (the "**Property**," commonly referred to as Riverside Drive/Clearview Road/Parkway Place) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Macy's Corporate Services, Inc. (the "**Developer**") for the approval of a preliminary and final major site plan to permit the construction of (a) a new approximately 59,700 sq. ft. distribution or shipping building, (b) approximately 359,024 sq. ft. of warehouse additions on the north side of the existing warehouse building with a utility area, (c) an approximately 3,000 sq. ft. maintenance building and (d) an approximately 1,476 sq. ft. office area and ancillary improvements on the Property (collectively, the "**Project**"); and

**WHEREAS**, the Board granted final site plan approval for the Project by resolution memorialized on May 19, 2014 (the "**Resolution**"); and

**WHEREAS**, the Resolution and the Code of the Township of Edison require the developer to enter into a developer's agreement with the Township of Edison (the "**Township**") in connection with the Project; and

**WHEREAS**, the form of the developer's agreement between the Township and the Developer (the "**Developer's Agreement**"), in the form attached hereto as Exhibit A, has been reviewed and approved by the Township Attorney and the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Developer's Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Developer's Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Developer's Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

**RESOLUTION R.557-102014**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ROCK SALT FROM ATLANTIC SALT INCORPORATED THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #CK12-MIDDLESEX**

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

**WHEREAS**, the County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS**, ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 has been awarded Bid No. B-13-560 through State Coop #CK12-MIDDLESEX, Treated Rock Salt, at a price of \$49.10 per ton; and

**WHEREAS**, funds in the amount of \$14,730.00 have been certified to be available in the Streets & Roads Materials Account, Number 4-01-26-0290-000-030; 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 \$14,730.00 and any other necessary documents, with ATLANTIC INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-13-560 through Middlesex County Cooperative Pricing Agreement, State Coop #CK12-MIDDLESEX.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$14,730.00** are available for the above contract in Account No. **4-01-26-0290-000-030**.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.558-102014**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO SHAWNNA CHRISTOPHER FOR THE YAP PROGRAM**

**WHEREAS** Shawna Christopher made payment in the amount of \$25.00 for her child, Summer Benton’s participation in the YAP Program at John Adams Middle School; and

**WHEREAS** the child was not accepted into the program; and

**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 \$25.00 to Shawna Christopher, 1045 Grove Ave., Apt. 13F, Edison, NJ 08820, which amount represents the amount paid.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$25.00 are available in Account #4-01-55-0291-000-000.

/s/ Agnes Yang  
Acting Chief Financial Officer

**RESOLUTION R.559-102014**

**EXPLANATION:** This Resolution authorizes the Township Council to grant permission to Fireworks Extravaganza Inc. to discharge fireworks for the Dushahra Festival at Lake Papaianni in Edison, New Jersey scheduled for October 12, 2014 with no rain date.

**Whereas**, Fireworks Extravaganza Inc. has applied to the Township of Edison for a permit to discharge fireworks on October 12, 2014 with no rain date, for the Dushahra Festival taking place at Lake Papaianni; and

**Whereas**, Fireworks Extravaganza Inc. has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

**Whereas**, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone’s property and/or person(s).

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

1. The Township Council does hereby grant permission for Fireworks Extravaganza Inc. to conduct a fireworks display on the evening of October 12, 2014 at approximately 8:15 p.m. on the grounds of the Lake Papaianni in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Fireworks Extravaganza Inc. posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Fireworks Extravaganza Inc. post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit. **4.** 1 pumper must be on Stand – By for the purpose of suppression, prior to the start of the show.
3. The Division of Fire and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirements of law.
4. The Township clerk of Edison Township is directed to forward a copy of this Resolution to, Fireworks Extravaganza Inc., the Fire Prevention Bureau, the Division of Fire, and Division of Police.

#### **RESOLUTION R.560-102014**

**EXPLANATION:** A Resolution renewing the plenary retail consumption license of Kamini, LLC for year 2014-2015.

**WHEREAS,** application was made to the Township of Edison (“Edison”) by Kamini, LLC (“Entity”) for the renewal of a plenary retail consumption liquor license, license number 1205-33-031-004 for year 2014-2015; and

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

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

1. Plenary Retail Consumption License 1205-33-031-004 held by Kamini, LLC and expired as of June 30, 2014 are hereby granted and renewed for 2014-2015, effective as of July 1, 2014.
2. This Resolution shall take effect immediately.

#### **RESOLUTION R.561-102014**

**WHEREAS,** an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License #**1205-33-022-004** heretofore issued to **Nine J’s Inc., t/a Rick and Bill’s** for premises located at 3 Meadow Road, Edison, NJ 08837; and

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that the Edison Township Governing Body does hereby approve, effective October 14, 2014, the transfer of the aforesaid Plenary Retail Distribution License to **Aum Bar & Grill, LLC** for premises located at 3 Meadow Road, Edison, NJ 08837 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to **Aum Bar & Grill, LLC**, effective **October 14, 2014**.”

#### **RESOLUTION R.562-102014**

**EXPLANATION:** Refund of Maintenance Bond for 32 Kathleen Place Improvements for Application P5026, Block: 306 Lot: 28-38

**WHEREAS,** the Township Engineer advises that an inspection has been made 32 Kathleen Place P5026, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and



**WHEREAS**, on February 27, 2012 the applicant posted a Maintenance Bond #109 in the amount of \$1,807.20, with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

**WHEREAS**, the Township Engineer, recommends the release of the Maintenance Bond #109 in the amount of \$1,807.20 in account #7761417307, principal being Konstantinos Kourkanakis having an address of 1214 1B, Raritan Avenue Highland Park, N.J. 08904 and acceptance of the subject improvements;

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to re turn the aforesaid Maintenance Bond in the amount of \$1,807.20 in Account of #7761417307, to the applicant.

### **COMMUNICATIONS**

- a. Electronic mail received from Ralph Errico regarding Zoning Board re-appointment.

On a motion made by Councilmember Lombardi, seconded by Councilmember Gomez and duly carried, the above Communications were received.

### **ORAL PETITIONS AND REMARKS**

Council President Karabinchak opened the meeting for public comment.

Angelo, resident at the corner or Partch Place and Barlow Avenue, said he is present to speak about commuters from the Edison train station parking on residential streets all day and sometimes for days at a time. He submitted pictures to the Council and asked what can be done.

Councilmember Shah commented that she has seen these situations all over Edison while shadowing the Health and Engineering departments. She felt commuters should not be parking in residential areas.

Mr. Northgrave commented that Woodbridge solved this problem by instituting "No Parking between 12:00 p.m. and 2:00 p.m. signs. This would eliminate commuters and not require permit parking for residents.

Bob Spiegel, 206 Tyler Road, spoke about newspapers being dumped on his property which he considers littering. He said he does not believe people have the right to dump litter on his property and the Township should not allow unsolicited littering. He felt this speaks to our quality of life. He asked if there is an ordinance regulating this and if it is enforced.

Mr. Elliot said there is a regulation regarding newspapers. The procedure is to call the telephone number on the plastic bag if you do not want the papers and if it continues they can be cited.

Walter Stochel, 2118 Oak Tree Road, said that the Open Space Committee passed a Resolution in support of Ballot Question #2 and he urged the Council to adopt a similar Resolution. He said the Green Acres program is a great benefit to our quality of life and this will create a stable source of funding. There will be a rally held at the Farmer's Market on October 22 in support of this question.

Councilmember Diehl said this was brought up on Monday night and the Council will be drafting a Resolution for the next meeting.

Esther Nemitz, 162B Fay Street, thanked Walter Stochel for the information on Ballot Question #2. She also commented on the very bad accidents that have occurred by the Hess station on the corner of Amboy Avenue and Woodbridge Avenue. She felt something needs to be done about this intersection as people are getting hurt.

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

Having no further business to discuss, on a motion made by Councilmember Gomez, seconded by Councilmember Shah, the meeting was adjourned at 8:12 p.m.

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Robert Karabinchak  
Council President

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Cheryl Russomanno  
Acting Municipal Clerk