

**MINUTES OF A SPECIAL MEETING  
MUNICIPAL COUNCIL - TOWNSHIP OF EDISON  
November 6, 2014**

A Special Meeting of the Municipal Council was held in the Council Chambers of the Municipal Complex on Thursday, November 6, 2014. The meeting was called to order at 6:01 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lombardi, Mascola, and Shah.  
Councilmember Prasad was absent

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane and Cameraman Cologna.

The Township Clerk advised that adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by a Special Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on October 30, 2014, and posted in the Main Lobby of the Municipal Complex on the same date.

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

The following Ordinance, which was introduced by Title on October 22, 2014 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1884-2014                      **ORDINANCE AMENDING CHAPTER VI OF THE TOWNSHIP  
CODE TO AUTHORIZE THE TOWNSHIP'S ISSURANCE OF  
NEW PLENARY RETAIL CONSUMPTION LICENSES UP TO  
THE LIMIT ALLOWED BY STATE  
LAW.**

(The above Ordinance O. 1884-2014 can be found in its entirety in Ordinance Book #27.)

Council President Karabinchak declared the Public Hearing opened for O.1884-2014

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

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

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

NAYS - None  
Councilmember Prasad was absent

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Karabinchak opened the meeting to the public for comments on Proposed Resolutions R.596-112014 and R.597-112014.

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

The following Resolutions R596-112014 and R.597-112014 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Lombardi.

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

NAYS - None  
Councilmember Prasad was absent

**RESOLUTION R.596-112014**

Explanation: A Resolution amending Resolution R.594-102014 adopted October 22, 2014 (which authorizes the sale of one (1) Plenary Retail Distribution Liquor License by public sale to the highest bidder) to require that the winning bidder pay the full bid price within four (4) days of acceptance of the winning bid.

**WHEREAS**, there are presently six (6) plenary retail distribution licenses in the Township of Edison (“Township”) held by licensees; and

**WHEREAS**, pursuant to *N.J.S.A. 33:1-12.14*, new plenary retail distribution licenses may be issued in a municipality so long as the number of such licenses existing in the municipality is not greater than one for each 7,500 of its population according to the most recent estimates issued by the U.S. Bureau of the Census; and

**WHEREAS**, the Township has a population of nearly 100,000 people and may issue several new plenary retail distribution licenses; and

**WHEREAS**, by Resolution R.594-102014 adopted October 22, 2014, the Municipal Council of the Township (“Municipal Council”) authorized the issuance of one (1) new plenary retail distribution license by public sale to the highest qualified bidder therefore and the advertisement for same; and

**WHEREAS**, Resolution R.594-102014 requires that every bidder submit a bid deposit of 20% of the bid price with the bid application, and that the winning bidder pay the balance of the bid amount within thirty (30) days of the adoption of a municipal resolution accepting the highest bid; and

**WHEREAS**, the Municipal Council desires to change the terms of payment for the new license as originally stated in Resolution R.594-102014 to require that the winning bidder pay the balance of the bid price within four (4) days of acceptance of the winning bid.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Section 5 of Resolution R.594-102014 is amended to read as follows:

“All submitted bids must contain a deposit in the form of a certified check for 20% of the bid price. Once a bid is submitted to the Township Clerk, it cannot be withdrawn by the bidder. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within four (4) days of the Township’s adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.”

3. All other terms of Resolution R.594-102014 remain in full force and effect, as originally adopted. The bid application date and bid opening date remain as scheduled in Resolution R.594-102014.

4. This Resolution shall take effect immediately.

#### **RESOLUTION R.597-112014**

Explanation: A Resolution amending R.595-102014 adopted October 22, 2014 (which authorizes the sale of one (1) Plenary Retail Consumption Liquor License by public sale to the highest bidder) to require that the winning bidder pay the full bid price within four (4) days of acceptance of the winning bid.

### **EDISON TOWNSHIP**

**WHEREAS**, there are presently thirty-two (32) plenary retail consumption licenses in the Township of Edison (“Township”) held by licensees; and

**WHEREAS**, pursuant to *N.J.S.A. 33:1-12.14*, new plenary retail consumption licenses may be issued in a municipality so long as the number of such licenses existing in the municipality is not greater than one for each 3,000 of its population according to the most recent estimates issued by the U.S. Bureau of the Census; and

**WHEREAS**, the Township has a population of nearly 100,000 people and may issue a new plenary retail consumption license; and

**WHEREAS**, by Resolution R.595-102014 adopted October 22, 2014, the Municipal Council of the Township (“Municipal Council”) authorized the issuance of one (1) new plenary retail consumption license by public sale to the highest qualified bidder therefore and the advertisement for same; and

**WHEREAS**, Resolution R.595-102014 requires that every bidder submit a bid deposit of 20% of the bid price with the bid application, and that the winning bidder pay the balance of the bid amount within thirty (30) days of the adoption of a municipal resolution accepting the highest bid; and

**WHEREAS**, the Municipal Council desires to change the terms of payment for the new license as originally stated in Resolution R.595-102014 to require that the winning bidder pay the balance of the bid price within four (4) days of acceptance of the winning bid.

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

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

4. Section 5 of Resolution R.595-102014 is amended to read as follows:

“All submitted bids must contain a deposit in the form of a certified check for 20% of the bid price. Once a bid is submitted to the Township Clerk, it cannot be withdrawn by the bidder. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within four (4) days of the Township’s adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.”

3. All other terms of Resolution R.595-102014 remain in full force and effect, as originally adopted. The bid application date and bid opening date remain as scheduled in Resolution R.595-102014.

4. This Resolution shall take effect immediately.

**ORAL PETITIONS AND REMARKS**

Council President Karabinchak opened the meeting for public comment.

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

On a motion made by Councilmember Diehl, seconded by Councilmember Gomez, the meeting was adjourned at 6:03 p.m.

---

Robert Karabinchak  
Council President

---

Cheryl Russomanno  
Acting Municipal Clerk