

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, November 26, 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 October 24, 2012
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT:**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution awarding contract to Office Solutions, Inc. for Maintenance of the Avaya Phone System.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through November 28, 2012.
 - b. Resolution authorizing refund in the amount of \$44,981.56 for redemption of tax sale certificates.
 - c. Resolution requesting Approval of Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 grant funds for 2012 Body Armor Grant.
10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution authorizing reimbursement of rental reoccupancy.
 - b. Resolution authorizing payment to Pines manor for the 2013 Awards Banquet for Municipal Alliance.
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution provides for Township Acceptance of the constructed Swimming Pool Renovation at the YMCA family Swim Club at Oakcrest, under Public Bid. No. 11-06-27 and authorizes Final Contract payment to RJR Engineering Company, Inc. for a total construction contract as built cost of \$796,044.00.

- b. Resolution refunding Tree Maintenance Bond for Valley National Bank under application #P16-05/06.
- c. Resolution Releasing performance Guarantee on Completed Site Plan Improvements for Valley National Bank under application #P16-05/06.
- d. Resolution releasing Performance Guarantee on Completed Site Plan Improvements for MSI International under Application #P11-05/06.
- e. Resolution Releasing Performance Guarantee on Completed Site Plan Improvements for Valley National Bank, Parking Expansion under Application # Z41-07/08.
- f. Resolution refunding Site Improvement Permit since the applicant posted a performance guarantee and engineering inspection fess a Site Improvement Permit fee is not required.
- g. Resolution Awarding Contract to A-Plus Construction Inc., for Home Improvements as part of the Community Development Block Grant Program.
- h. Resolution authorizing Change Order No. 1 for Kappa Construction Corporation for contract No.11-02-06R, Police Division Renovations.
- i. Resolution Awarding Contract to Penyak Roofing Company Incorporated for Home Improvements as part of the Community Development Block Grant Program.
- j. Resolution refunding Unused Portion of Engineering Inspection Fees on completed Site Plan Improvements for Valley National under Application #P16-05/06.
- k. Resolution refunding Unused Portion of Engineering Inspection Fees on Completed Site Plan Improvements for the Valley National Bank for Parking Lot Expansion under Application Z41-07/08.

12. **FROM THE DEPARMENT OF PUBLIC WORKS:**

- a. Resolution authorizing payment to Fischer Contracting, Inc. for Manpower and Equipment to Clean up damage caused by Tropical Storm Sandy.
- b. Resolution authorizing payment to Vermeer Sales for the Purchase of a Wood Chipper to expedite cleanup of hazardous conditions.
- c. Resolution Awarding Contract to Campbell Freightliner, LLC for the purchase of a 2013 Refuse Collection Truck -25 CU YD.
- d. Resolution Awarding State Contract to A & K Equipment company for the Furnishing of Snow Plow Parts.
- e. Resolution authorizing purchase of Rock Salt from Atlantic Salt Inc. through the Middlesex County Cooperative Pricing Agreement.
- f. Resolution Awarding Contract to Campbell Freightliner, LLC for the purchase of a 2013 Refuse Collection Truck – 11 CU YD.

13. **FROM THE DEPARTMENT OF RECREATION:**

- a. Resolution authorizing a reimbursement for ABC Program.
- b. Resolusion awarding reimbursement to Various Adult Co-Ed Softball Teams for ending the season in good standing.

14. **FROM THE CHIEF OF FIRE:**
 - a. Approval of Volunteer Firefighter

15. **FROM THE CHIEF OF POLICE:**
 - a. Resolution approving acceptance of 2012 State Body Armor Replacement Grant funding in the amount of \$15,211.04.

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

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

O.1809-2012 AN ORDINANCE REVISING THE PROCEDURES FOR THE
DISPOSTITION OF POLICE FIREARMS.

18. **PROPOSED RESOLUTIONS:**

None

19. **COMMUNICATIONS:**
 - a. None

20. **DISCUSSION ITEMS:**

Council President Karabinchak

 - a. Tax Appeals
 - b. Capital Improvement
 - c. Oak Tree & Woodland Intersections

Councilmember Diehl

None

Councilmember Gomez

- a. Variance Analysis Report

Councilmember Lankey

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

21. **CLOSED SESSION:**

None

22. **ADJOURNMENT**

RESOLUTION AWARDING CONTRACT TO OFFICE SOLUTIONS, INC. FOR THE MAINTENANCE OF THE AVAYA PHONE SYSTEM

WHEREAS, the Township of Edison needs to renew the maintenance, support and upgrade of the Avaya phone system for the period of January 2013 – December 2013; and

WHEREAS, OFFICE SOLUTIONS, INC., 217 Mount Horeb Road, Warren, NJ 07059 has been awarded State Contract Number 80802 under T-1316/Telecommunications Equipment and Services; and

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

WHEREAS, funds in the amount of \$17,686.28 have been certified to be available in the Business Administrator Maintenance of Other Equipment Account, Number 3-01-20-0100-001-026, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

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 not to exceed \$17,686.28 and any other necessary documents, with OFFICE SOLUTIONS, INC., 217 Mount Horeb Road, Warren, NJ 07059, 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. 80802 under T-1316.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$17,686.28 are available for the above contract in Account No. 3-01-20-0100-001-026, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

Janice
Saponaro
Chief Financial Officer

Date

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 \$44,981.56.

November 15, 2012

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION PURSUANT TO N.J.S.A 40A:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County of Municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of **\$15,211.04**, which will be available from **GENERAL REVENUES 3. Miscellaneous Revenues-Section F. Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations; 2012 Body Armor Grant ; in the amount of \$16,007.56**

IT IS FURTHER RESOLVED that the like sum of **\$15,211.04** is hereby appropriated under the caption **8. GENERAL APPROPRIATIONS (A) Excluded from "CAPS"; 2012 Body Armor Grant ; in the amount of 2012 Body Armor Grant \$16,007.76 ; and**

IT IS FURTHER RESOLVED that the above is the result of a grant and funds to be received from the County of Middlesex, 2012 Body Armor Grant **\$15,211.04**

DATED: November 28, 2012

RESOLUTION AUTHORIZING A REIMBURSEMENT OF RENTAL REOCCUPANCY INSPECTION FEES TO ANAND RENGARAJAN

WHEREAS , Anand Rengarajan, owner of a rental unit located at 1407 Raspberry Ct, Edison, made an online application for a Rental Reoccupancy Inspection along with payment in the amount of \$50.00; and

WHEREAS, in fact the existing tenant has chosen to remain in the unit, therefore a rental reoccupancy inspection is not required.

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 \$50.00 to Anand Rengarajan, 314 New Brunswick Avenue, East Brunswick, NJ 08816, which amount represents the amount the an initial Rental Reoccupancy Inspection

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$50.00** are available for the above refund in Account No. **2-01-55-0291-000-000**.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION AUTHORIZING PAYMENT TO THE PINES MANOR
FOR THE 2013 AWARDS BANQUET FOR MUNICIPAL ALLIANCE**

WHEREAS, the Edison Municipal Alliance is holding their annual awards banquet on January 31, 2013; and

WHEREAS, the banquet will be held at THE PINES MANOR, 2085 Route 27, Edison, NJ 08817; and

WHEREAS, funds in the amount of \$5,838.44 have been certified to be available in the Reserve-Municipal Alliance Prog. Account, Number T-01-55-0279-000-000.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to THE PINES MANOR, 2085 Route 27, Edison, NJ 08817 in the amount of \$5,838.44.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,838.44** are available for the above payment in Account No. **T-01-55-0279-000-000**.

Janice Saponaro
Chief Financial Officer

Date

EXPLANATION: This resolution provides for Township Acceptance of the constructed Swimming Pool Renovations at the YMCA Family Swim Club at Oakcrest, under Public Bid No. 11-06-27, and authorizes FINAL CONTRACT PAYMENT to RJR Engineering Company, Inc., for a total construction contract as-built cost of \$796,044.00.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, RJR Engineering Company Inc., 105 Guinea Hollow Road, Califon, NJ 07830 was awarded a base bid construction contract through resolution R.622-082011 in an amount not to exceed \$637,300.00 for Public Bid No. 11-06-27: Swimming Pool Renovations, YMCA Family Swim Club at Oakcrest, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, RJR Engineering Company Inc., was subsequently awarded a contract amendment for Alternate Items through resolution R.761-102011 in an amount not to exceed \$115,300.00, then a total of three (3) contract change orders were awarded amending the contract through resolution R.075-022012 in the amount of \$3,974.00 for Change Order # 1, resolution R.169-032012 in the amount of \$28,070.00 for Change Order # 2, and resolution R.517-082012 in the amount of \$11,400.00 for Change Order # 3, resulting in a revised total contract ceiling amount of \$796,044.00; and

WHEREAS, the Township Engineer has reviewed the project and the Township Engineer certifies that the project has been contractually completed, and that a two-year (2-year) maintenance bond, effective from July 13, 2012 (the date of substantial completion prior to punchlist), in an amount equivalent to 100% of the final as-built construction costs of \$796,044.00 for the project has been received by the Township of Edison, and the Township Engineer recommends project acceptance, release of the performance bond, and that final retainage payment be made to RJR Engineering Company Inc., in an amount not to exceed \$15,920.88 for a total construction contract as-built cost of \$796,044.00.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the construction project, Public Bid No. 11-06-27: Swimming Pool Renovations, YMCA Family Swim Club at Oakcrest, in the Township of Edison, Middlesex County, New Jersey, is deemed accepted by the Township of Edison, subject to the provisions of the maintenance bond, and that the performance bond may be released and that final retainage payment shall be made to RJR Engineering Company Inc., in an amount not to exceed \$15,920.88 for a total construction contract as-built cost of \$796,044.00.

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings for the Valley National Bank, under Application # P16-05/06.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on November 16, 2006 and March 18, 2009, Valley National Bank posted Tree Maintenance Bond fees in the amount of \$2,475.00 on deposit with the Township of Edison in account #7760237653 to guarantee the installation of planted trees per the Municipal Code of the Township of Edison for a designated Tree Maintenance Bond Permit #06-69, located at Route 27 & Sturgis Road; and

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,475.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,475.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$2,475.00, plus accrued interest, if applicable, on deposit in Account #7760237653 to Valley National Bank having an address of 1455 Valley Road, Wayne, N.J.

S:Eng-TreeMaintBondRefundReso-#06-69-ValleyNat'lBank-Rt27&Sturgis

EXPLANATION: Resolution Releasing Performance Guarantee on Completed Site Plan Improvements for the Valley National Bank, under Application # P16-05/06.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Valley National Bank Application #P16-05/06 located at Rt. 27 & Sturgis Rd., Block 1120, Lot (s) 43, 44A & 45A, 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 February 10, 2009, since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No.104168458 of Travelers Casualty & Surety Company of America posted on September 14, 2006 in the amount of \$291,600.00 with the Township of Edison, principal being Valley National Bank Corp. and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #389468 posted on September 20, 2006 in the amount of \$32,400.00, plus accrued interest, if applicable, on deposit in account #7760013287 with the Township of Edison, principal being Valley National Bank having offices at 1455 Valley Road, Wayne, N.J. 07470, 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 \$291,600.00 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 \$32,400.00, plus accrued interest, if applicable, on deposit in account #7760013287 to the applicant.

EXPLANATION: Resolution Releasing Performance Guarantee on Completed Site Plan Improvements for MSI International Inc., under Application # P11-05/06.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of MS International Inc. Application #P11-05/06, located at 36 Brunswick Avenue, Block 19, Lot 5, 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 October 3, 2012., also, the required two year Maintenance Bond was posted on October 22, 2012; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No. 024030981 of Liberty Mutual Insurance Company posted on October 21, 2011 in the amount of \$239,089.21 with the Township of Edison, principal being MS International, Inc. and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #1091811119 posted on October 21, 2011 in the amount of \$26,565.47, plus accrued interest, if applicable, on deposit in account #7761417232 with the Township of Edison, principal being 36 Brunswick Avenue, LLC having offices at 2095 N. Batavia St., Orange, Ca. 92865, 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 \$239,089.21 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 \$26,565.47, plus accrued interest, if applicable, on deposit in account #7761417232 to the applicant.

EXPLANATION: Resolution Releasing Performance Guarantee on Completed Site Plan Improvements for the Valley National Bank, Parking Expansion, under Application # Z41-07/08.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Valley National Bank-**Parking Lot Expansion** Application #Z41-07/08 located at Route 27 & Sturgis Road, Block 1120, Lots 42 and 43.01 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 February 10, 2009, since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Letter of Credit No. OD08001332 of Valley National Bank posted on December 18, 2008 in the amount of \$116,131.59 with the Township of Edison, principal being Valley National Bank and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #446698 posted on December 12, 2008 in the amount of \$12,903.51, plus accrued interest, if applicable, on deposit in account #7760013364 with the Township of Edison, principal being Valley National Bank having offices at 1455 Valley Road, Wayne, N.J. 07470, 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 \$116,131.59 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 \$12,903.51, plus accrued interest, if applicable, on deposit in account #7760013364 to the applicant.

EXPLANATION: This resolution refunds a payment made by the Applicant for a Site Improvement Permit. Since the Applicant posted a performance guarantee and engineering inspection fees a Site Improvement Permit Fee is not required.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on August 15, 2012, S.B.S. Management, Inc.(Oak Grove Associates) posted a check #17481 in the amount of \$400.00 on deposit with the Township of Edison in account #2-01-55-0291-000-000, for a Site Improvement Permit #12-091; and

WHEREAS, Since the applicant posted a performance guarantee and engineering inspection fees for the application a Site Improvement Permit fee collected is not required and the applicant is due a refund of the permit fee; and

WHEREAS, it is the recommendation of the Township Engineer that a Site Improvement Permit fee refund in the amount of \$400.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Site Improvement Permit fee in the amount of \$400.00, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$400.00, plus accrued interest, if applicable, on deposit in account #2-01-55-0291-000-000 to S.B.S. Management, Inc., having an address of 1125-A Inman Avenue, Edison, N.J. 08820.

JAM/kjw

S-Eng-Karen-RetReso-SIP-Permit-#12-091-1125A-InmanAve-OakGroveAssoc

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO A-PLUS CONSTRUCTION
INCORPORATED FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2011 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were solicited by the Township of Edison for Case Number 0811; and

WHEREAS, A-PLUS CONSTRUCTION INCORPORATED, 18 Station Road, Lincoln Park, NJ 07035 , submitted the sole quote in the amount of \$9,450.00; and

WHEREAS, funds in the amount of \$9,450.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-11-0510-000-001.

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

1. The sole quote has been reviewed, and the quote in the amount of \$9,450.00 by A-PLUS CONSTRUCTION INCORPORATED, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$9,450.00 and any other necessary documents, with A-PLUS CONSTRUCTION INCORPORATED as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$9,450.00** are available for the above contract in Account No. **T-14-11-0510-000-001**.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$22,416.84 FOR KAPPA CONSTRUCTION CORPORATION FOR CONTRACT NO. 11-02-06R, POLICE DIVISION RENOVATIONS, FOR A TOTAL REVISED CONTRACT AMOUNT OF \$1,165,416.84

WHEREAS, KAPPA CONSTRUCTION CORPORATION, 3 Matilda Drive, Ocean, NJ 07712 was awarded Contract No. 11-02-06R, POLICE DIVISION RENOVATIONS on November 21, 2011 through resolution R.834-112011 in the amount of \$1,143,000.00; and

WHEREAS, The Township Engineer has found a change order in the total amount of \$22,416.84 is necessary for the following reasons:

- Change door heights to taller doors and material from birch to oak to existing doors as well as re use of existing frames (\$1,312.85).
- Create a chase, on all three floors, for the drinking fountains water and drain piping (\$2,641.29).
- Excavation of footings for exterior canopy columns disclosed a second layer of concrete pavement requiring removal to meet IBC code requirements (\$1,276.70).
- Removal and replacement of counters for Violations Clerk and Records Department (\$16,141.00).
- Supply wider pairs of doors for main lobby and Police/Court area (\$1,045.00).

WHEREAS, funds in the amount of \$22,416.84 are certified to be available in the Police Install Security System Account, C-04-07-1565-394-002; and

WHEREAS, the Township Engineer recommends authorization of the required Change Order No. 1 be made to KAPPA CONSTRUCTION CORPORATION in an amount not to exceed \$22,416.84 for a total contract amount of \$1,165,416.84.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Change Order No. 1 be awarded to KAPPA CONSTRUCTION CORPORATION, in an amount not to exceed \$22,416.84 resulting in a total contract amount of \$1,165,416.84 for 11-02-06R, POLICE DIVISION RENOVATIONS.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$22,416.84 are available for the above in Account No. C-04-07-1565-394-002.

Janice A. Saponaro
Chief Financial Officer

Date

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO PENYAK ROOFING
COMPANY INCORPORATED FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2010 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were solicited by the Township of Edison for Case Number 0911; and

WHEREAS, PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080, submitted the lowest quote in the amount of \$5,800.00; and

WHEREAS, funds in the amount of \$5,800.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-10-0510-000-001.

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 in the amount of \$5,800.00 by PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080 for home improvements is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$5,800.00 and any other necessary documents, with PENYAK ROOFING COMPANY INCORPORATED as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,800.00** are available for the above contract in Account No. **T-14-10-0510-000-001**.

Janice Saponaro
Chief Financial Officer

Date

EXPLANATION: Resolution Refunding Unused Portion of Engineering Inspection Fees on Completed Site Plan Improvements for the Valley National Bank, under Application # P16-05/06.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of Valley National Bank located at Route 27 & Sturgis Road, located in Block 1120, Lots 43, 44A & 45A; and

WHEREAS, on September 20, 2006, Valley National Bank posted inspection fees in the amount of \$13,500.00 on deposit in account #7200025193 with the Township of Edison for the required engineering inspection fees, pursuant to Township Ordinance; and

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

WHEREAS, the sum expended for engineering inspections totals \$13,220.25; and

WHEREAS, it is in now in order that the sum of \$279.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Valley National Bank having a new address of 1455 Valley Road, Wayne, N.J. 07470; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$279.75, plus accrued interest, if applicable, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$279.75, plus accrued interest, if applicable, in account #7200025193 to the applicant.

JAM/kjw

S-Karen-RetResoInspFeeRefund-ValleyNat'lBank-Rt27&Sturgis

EXPLANATION: Resolution Releasing Performance Guarantee on Completed Site Plan Improvements for the Valley National Bank, Parking Expansion, under Application # Z41-07/08.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Valley National Bank-**Parking Lot Expansion** Application #Z41-07/08 located at Route 27 & Sturgis Road, Block 1120, Lots 42 and 43.01 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 February 10, 2009, since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Letter of Credit No. OD08001332 of Valley National Bank posted on December 18, 2008 in the amount of \$116,131.59 with the Township of Edison, principal being Valley National Bank and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #446698 posted on December 12, 2008 in the amount of \$12,903.51, plus accrued interest, if applicable, on deposit in account #7760013364 with the Township of Edison, principal being Valley National Bank having offices at 1455 Valley Road, Wayne, N.J. 07470, 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 \$116,131.59 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 \$12,903.51, plus accrued interest, if applicable, on deposit in account #7760013364 to the applicant.

**RESOLUTION AUTHORIZING PAYMENT TO FISCHER CONTRACTING, INC. FOR
MANPOWER AND EQUIPMENT TO CLEAN UP DAMAGE CAUSED BY TROPICAL STORM
SANDY**

WHEREAS, During the Tropical Storm on October 30, 2012 there were felled trees, electrical lines and damaged building structures that required additional resources of manpower and equipment to clear the streets; 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, FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 submitted a quote in the amount of \$38,000.00; and

WHEREAS, funds in the amount of \$38,000.00 have been certified to be available in the Reserve-Snow Removal Account, Number T-01-55-0287-000-000.

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 of \$38,000.00, and any other necessary documents, with FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$38,000.00** are available for the above in Account **No.** T-01-55-0287-000-000.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION AUTHORIZING PAYMENT TO VERMEER SALES FOR THE PURCHASE OF A WOOD CHIPPER TO EXPEDITE CLEANUP OF HAZARDOUS CONDITIONS

WHEREAS, During the Tropical Storm on October 30, 2012 there were felled trees, electrical lines and damaged building structures that required an additional wood chipper to expedite cleanup of hazardous conditions; 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, VERMEER SALES, 7 Maple Avenue, Lumberton, NJ 08048 submitted a quote in the amount of \$51,150.00; and

WHEREAS, funds in the amount of \$51,150.00 have been certified to be available in the MCIA Recycling Grant Account, Number G-02-12-0290-787-000.

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 of \$51,150.00, and any other necessary documents, with VERMEER SALES, 7 Maple Avenue, Lumberton, NJ 08048.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$51,150.00** are available for the above in Account No. G-02-12-0290-787-000.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
CAMPBELL FREIGHTLINER, LLC FOR THE PURCHASE OF A 2013 REFUSE COLLECTION TRUCK-
25 CU YD**

WHEREAS, bids were received by the Township of Edison on October 3, 2012 for Public Bid No. 12-09-18, 2013 Refuse Collection Truck-25 Cu Yd, for the Department of Public Works; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$187,888.00; and

WHEREAS, funds in the amount of \$187,888.00 have been certified to be available in the Sanitation-Capital Outlays Account, Number 1-05-55-0880-000-600.

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 FREIGHTLINER, LLC, 145 Talmadge Rd., Edison, NJ 08817 for a Refuse Collection Truck-25 Cu Yd, 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 \$187,888.00, and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$187,888.00** are available for the above contract in Account No. **1-09-55-0880-000-600**.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION AWARDING STATE CONTRACT/PURCHASE ORDER(S) TO A & K EQUIPMENT COMPANY FOR THE FURNISHING OF SNOW PLOW PARTS FOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need to purchase snow plow parts for the Department of Public Works; and

WHEREAS, A & K EQUIPMENT COMPANY, 221 Wescott Dr., Rahway, NJ 07065, has been awarded State Contract Number 75725 under T-0085/Snow plow parts, and Grader and Loader Blades; and

WHEREAS, the total amount of this contract, not to exceed \$25,000.00, cannot be encumbered at this time; 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, 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(s) in the amount not to exceed \$25,000.00 and any other necessary documents, with A & K EQUIPMENT COMPANY, 221 Wescott Dr., Rahway, NJ 07065 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. 75725/T-0085.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE
ROCK SALT FROM ATLANTIC SALT INCORPORATED THROUGH
THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT**

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 County Bid No. B-11-560, Treated Rock Salt, at a price of \$52.00 per ton; and

WHEREAS, the Township of Edison intends to purchase Rock Salt from ATLANTIC SALT INCORPORATED through this Cooperative Pricing Agreement in the amount not to exceed \$20,800.00 and funds in this amount are available in the Streets and Roads, Materials and Supplies Account, Number 2-01-26-0290-000-030.

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 and any other necessary documents, in the amount of \$20,800.00, with ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852, the approved Middlesex County Contract vendor through this resolution, which shall be subject to all the conditions applicable to the current County Contracts as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$20,800.00** are available for the above in Account No. **2-01-26-0290-000-030**.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
CAMPBELL FREIGHTLINER, LLC FOR THE PURCHASE OF A 2013 REFUSE COLLECTION TRUCK-
11 CU YD**

WHEREAS, bids were received by the Township of Edison on October 3, 2012 for Public Bid No. 12-09-17, 2013 Refuse Collection Truck-11 Cu Yd, for the Department of Public Works; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$139,331.00; and

WHEREAS, funds in the amount of \$139,331.00 have been certified to be available in the Sanitation-Capital Outlays Account, Number 2-09-55-0880-000-600.

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 FREIGHTLINER, LLC, 145 Talmadge Rd., Edison, NJ 08817 for a Refuse Collection Truck-11 Cu Yd, 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 \$139,331.00, and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$139,331.00** are available for the above contract in Account No. **2-09-55-0880-000-600**.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SHANKAR NARASIMHAN FOR THE ABC PROGRAM**

WHEREAS Shankar Narasimhan made payment in the amount of \$160.00 for his child, Deepti Shankar's participation in the afternoon ABC/YAP Programs at James Madison Intermediate Elementary School; and

WHEREAS the child was removed from the program prior to attending.

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 \$160.00 to Shankar Narasimhan, 10 Livingston Ave., Edison, NJ 08820, which amount represents the overpayments for the ABC program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$160.00 are available in Account #2-01-55-0291-000-000.

Janice Saponaro
Chief Financial Officer

Date

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT CO-ED SOFTBALL TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township’s Recreation leagues.

WHEREAS, the ordinance further states that a “Good Standing Refund” in the amount of \$100.00 shall be made payable to each softball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$500.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

WHEREAS, the below listed adult co-ed softball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>	<u>REFUND NAME</u>	<u>TEAM</u>
John Tierney	GABRIELLE’S	Duff Aninipot	POUND IT
Robert Medina	ROOSEVELT REDS	Christopher Pelletier	JUST ONE
Randy Braun	AVENGERS		

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

CERTIFICATION

I hereby certify that funds in the amount of \$500.00 are available for the above teams in Account No.T-13-00-1000-000-048.

Janice Saponaro, Chief Financial
Officer

Date

Explanation: The Body Armor Replacement Fund is funded through a \$1 surcharge to each fine, penalty or forfeiture imposed and collected by a judge under authority of any law for any violation of the provisions of Title 39 of the Revised Statutes. Moneys collected and deposited in the Fund are used in making grants to local and state law enforcement agencies for the purchase of body vests. The Edison Police Department has been awarded \$15,211.04 for FY 2012.

RESOLUTION

RESOLUTION APPROVING ACCEPTANCE OF 2012 STATE BODY ARMOR REPLACEMENT GRANT FUNDING IN THE AMOUNT OF \$15,211.04

WHEREAS, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to accept from the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund grant funding program for FY 2012, the amount of \$15,211.04.

BE IT FURTHER RESOLVED that the Business Administrator or designee is hereby authorized to sign the aforesaid grant approval for and on behalf of the Township of Edison.

EXPLANATION: This Ordinance revises the procedures for the disposition of Police firearms.

EDISON TOWNSHIP

ORDINANCE

WHEREAS, the Township Council wishes to amend existing Township ordinances regarding the procedures for the disposition of Police firearms.

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

SECTION I. Chapter II Administration, Article III Departments, 2-30 Police Firearms, shall be amended as follows:

2-30 POLICE FIREARMS.

2-30.1 Disposition of Firearms.

a. Definitions. As used in this section:

Firearm means a firearm as defined in N.J.S.A. 2C:39-1 and includes an ammunition used in that firearm;

Replacement means the act of replacing the firearm assigned to a member of the Township's Police Department with another firearm.

b. Except as provided in paragraphs c. and d. below, any firearm replaced by the Edison Township Police Department shall be collected from the member of the Police Division to which it was assigned and shall be destroyed. The Edison Police Division shall not trade in or sell firearms which are replaced for any purpose.

c. Paragraph b. shall not apply to firearms that are sold or otherwise conveyed by the Edison Police Division:

1. To another law enforcement agency in the State; or
2. Donated to a legitimate museum for historical purposes; or,
3. To a licensed firearm dealer for the sole and exclusive purpose of resale to a sworn officer of the Edison Police Department to whom the weapon has been assigned; or,

4. To a licensed firearm dealer.

d. Any firearm donated to a museum pursuant to this section shall be rendered inoperable.

e. Replaced firearms shall, within a reasonable period, be destroyed in a manner that shall render them permanently unusable as firearms. A record shall be made and retained by the Police Division of the make, model, serial number and year and manufacturer of the individual firearms in each batch of replaced firearms that is destroyed and/or sold or otherwise conveyed by the Edison Police Division as permitted in paragraphs c. and d above.

SECTION II. This Ordinance shall take effect twenty (20) days after adoption and approval by the Mayor in accordance with N.J.S.A. 40:69A:181(b).

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

FIRST READING _____ __, 2012

FIRST PUBLICATION THE HOME NEWS & TRIBUNE _____ __, 2012

FINAL READING _____ __, 2012

APPROVAL OF THE MAYOR _____ __, 2012

FINAL PUBLICATION THE HOME NEWS & TRIBUNE _____ __, 2012

