

**AGENDA
MUNICIPAL COUNCIL
SPECIAL AND WORKSESSION MEETING
Monday, January 11, 2010
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 December 10, 2009, and posted in the Main Lobby of the Municipal Complex on the same date. An additional notice was sent on January 8, 2010 combining a special meeting.
4. **ORAL PETITIONS AND REMARKS**
5. **PROPOSED RESOLUTION**
Copies of this Resolution are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

R.005-012010 Resolution appointing Councilmember Robert Karabinchak as a Class III Member of the Planning Board.
6. **APPROVAL OF MINUTES:**
 - a. Regular Meeting of October 28, 2009
 - b. Combined Meeting of November 23, 2009
 - c. Worksession Meeting of December 7, 2009
7. **ADMINISTRATIVE AGENDA:**
FROM MAYOR ANTONIA RICIGLIANO:
 - a. Appointment of William Stephens as a Class I Member of the Planning Board
 - b. Re-Appointment of John Soltesz as a Class IV Member of the Planning Board.
8. **REPORTS FROM ALL COUNCIL COMMITTEES:**
9. **POINTS OF LIGHT**
10. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of emergency contract for repairs to the sanitary sewer line at Inman Avenue and Rahway Road, in an amount not to exceed \$71,541.58.
 - b. Award of bid for Contract No. 09-12-04, Office Supplies, in an amount not to exceed \$85,000.00.
 - c. Award of bid for Contract No. 09-02-03, Supplies – Office Equipment, in an amount not to exceed \$41,250.00.
 - d. Award of State Contract for purchase of a MP C4000 Copier, in an amount not to exceed \$10,700.00.
 - e. Award of State Contract for the purchase of an MP C5000 Copier, in an amount not to exceed \$12,525.00.
 - f. Award of State Contract for the purchase of Recycling Containers, in an amount not to exceed \$49,846.50.
 - g. Award of Second Year Contract for Contract No. 08-05-18, Fire Department Equipment and Tools – Supply and Repair, in an amount not to exceed \$90,000.00.
 - h. Award of Second Year Contract for Contract No. 08-04-14, Remanufactured Police Automatic Transmissions, in an amount not to exceed \$15,000.00.

- i. Award of Second Year Contract for Contract No. 08-02-14R, Photography/Video Equipment and Supplies, in an amount not to exceed \$20,000.00.
 - j. Award of Second Year Contract for Contract No. 08-05-20, Retread Tires, in an amount not to exceed \$15,000.00.
 - k. Award of bid for Contract No. 09-10-03, Generator Maintenance and Repair, in an amount not to exceed \$107,980.00.
11. **FROM THE DEPARTMENT OF FINANCE:**
- a. Report of Disbursements through January 7, 2010
 - b. Resolution regarding 2010 Debt Service, totaling \$9,276,190.84.
 - c. Resolution authorizing refund in the amount of \$99,220.32 for redemption of tax sale certificates.
 - d. Resolution authorizing refund of tax overpayments, totaling \$917.45.
12. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution regarding the Juvenile Justice Commission Grant regarding the BRIDGES program.
13. **FROM THE DEPARTMENT OF LAW:**
- a. An Ordinance amending the Section 2 of the Code regarding Addressing the Council
 - b. Discussion on Ordinance regarding the Police Director
14. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Engineering Inspection Fee Refund for UAG – Ferrari Maserati, Route 1 North and Wasko Road, Application #P01-04/05
 - b. Release of cash and performance bond for Mehul Patel, 19 Langstaff Avenue, Application #Z34-03/04
 - c. Award of bid for Contract No. 09-25-01A, Edison Senior Citizen Center Improvements, in an amount not to exceed \$34,900.00.
 - d. Award of bid for Contract No. 09-25-03, 2009 CDBG Curb and Sidewalk Replacement Program for Various Streets, in an amount not to exceed \$108,315.50.
 - e. Resolution authorizing the Township Engineer to sign various permits.
 - f. Resolution establishing hourly rates to be charged for in-house inspection of applications.
 - g. Resolution authorizing the Township Engineer to sign Treatment Works approval permits.
15. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
16. **COMMUNICATIONS:**
- a. Letter from Walter Stochel, Jr. regarding the annual Metuchen-Edison Local History Day – receive
17. **DISCUSSION ITEMS:**

Council President Tomaro

- a. Finance committee appointments
- b. Silver Lake Avenue Speeding and Truck Problem
- c. Oil tank removals
- d. Abandoned Homes at 73 and 79 Silver Lake
- e. Six Minute time Limit Ordinance
- f. Schundler Company overgrowth
- g. Resolution of Recognition – Eagle Scout James M. Gentner
- h. Clausen Road Tree

Councilmember Diehl

None

Councilmember Karabinchak

- a. Resolution opposing voluntary residential development

Councilmember Lankey

None

Councilmember Mascola

None

Councilmember Perilstein

None

Councilmember Prasad

- a. Appointment of Haresh Verma to the Zoning Board

18. **CLOSED SESSION:**

- a. Tax Appeal Settlement – Eurolux Partners
- b. Tax Appeal Settlement – Federal Business Centers, Inc.
- c. Contract Negotiations – Township Attorney and Labor Counsel

19. **ADJOURNMENT**

RESOLUTION R.005-012010

WHEREAS, pursuant to N.J.S.A. 55D-23(a), a Class III Member of the Planning Board must be appointed by the Governing Body; and

WHEREAS, the Municipal Council must make such appointment to said Board;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that they do hereby ratify and confirm the appointment of Councilmember Robert Karabinchak to serve as the Class III Council Representative Member of the Edison Township Planning Board for a term of one year ending December 31, 2010.

RESOLUTION

WHEREAS, an emergent condition arose with regard to a break in the force main sanitary sewer line at Inman Ave., & Rahway Rd which was discovered on December 4, 2009; and

WHEREAS, under the provisions of N.J.S.A. 40A:11-6 contracts may be negotiated or awarded without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Director of Public Works has certified that the collapse of the force main sanitary sewer line did constitute an emergency affecting the public health, safety and welfare which did require the immediate performance of services; and

WHEREAS, the Purchasing Agent satisfied the provisions of N.J.S.A. 40A:11-6a and awarded an emergency contract in the form of a Purchase Order to Hutton Construction, L.L.C., 41 Village Park Rd., Cedar Grove, NJ 07009 in the amount of \$71,541.58 to provide the necessary emergency repairs

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the award of an emergency contract in the form of a Purchase Order with Hutton Construction, L.L.C. in the amount of \$71,541.58 in accordance with NJSA 40A:11-6 for the repair of a collapsed sewer line.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-12-04, OFFICE SUPPLIES AND OFFICE/COPY PAPER; and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that this contract be awarded to W.B. Mason Company, 59 Centre Street, Brockton, MA 02303; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with W.B. Mason Company in an amount not to exceed \$85,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-02-03, SUPPLIES-OFFICE EQUIPMENT (PRINTERS, FAX MACHINES AND COPIERS); and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to WB Mason Company, Inc., 59 Centre Street, Brockton, MA; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with WB Mason Company, Inc. in an amount not to exceed \$30,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-02-03, SUPPLIES-OFFICE EQUIPMENT (PRINTERS, FAX MACHINES AND COPIERS); and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to Office Needs, 298 Terminal Avenue, Clark, NJ 07066; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Office Needs in an amount not to exceed \$8,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-02-03, SUPPLIES-OFFICE EQUIPMENT (PRINTERS, FAX MACHINES AND COPIERS); and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to CMF Business Supplies, Inc., 3622 Kennedy Road, South Plainfield, NJ 07080; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with CMF Business Supplies, Inc. in an amount not to exceed \$1,500.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-02-03, SUPPLIES-OFFICE EQUIPMENT (PRINTERS, FAX MACHINES AND COPIERS); and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to Southern Computer Warehouse, 1800 Roswell Road, Suite 1060, Marietta, GA 30062; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Southern Computer Warehouse in an amount not to exceed \$1,750.00.

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-12b**

Whereas, the Township of Edison, pursuant to N.J.S.A. 40A:11-12b and N.J.A.C. 5:34-9.7, may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

Whereas, the Township of Edison has the need on a timely basis to purchase goods or services utilizing State contracts; and

Whereas, the Township of Edison intends to enter into a contract with Ricoh Americas Corp., 485 Route 1 South, Building D, Suite 200, Iselin, NJ 08830 which has been awarded State Contract No. A51465 (T-2075), GSA/FSS Reprographics Schedule Use.

Now, Therefore, Be It Resolved, that the Township of Edison authorizes the Purchasing Agent to purchase MP C4000 Copier from the approved New Jersey State Contract Vendor through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Contracts; and

Be It Further Resolved, that the governing body of the Township of Edison pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

Be It Further Resolved, that the duration of the contracts between the Township of Edison and the Referenced State Contract Vendors shall be for a period of (1) year.

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO
N.J.S.A. 40A:11-12B**

Whereas, the Township of Edison, pursuant to N.J.S.A. 40A:11-12b and N.J.A.C.5:34-9.7, may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

Whereas, the Township of Edison has the need on a timely basis to purchase goods or services utilizing State contracts; and

Whereas, the Township of Edison intends to enter into a contract with Ricoh Americas Corp., 485 Route 1 South, Building D, Suite 200, Iselin, N.J. 08830 which has been awarded State Contract No. A51465 (T-2075), GSA/FSS Reprographics Schedule Use.

Now, Therefore, Be It Resolved, that the Township of Edison authorizes the Purchasing Agent to purchase MP C5000 Copier from the approved New Jersey State Contract Vendor through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Contracts; and

Be It Further Resolved, that the governing body of the Township of Edison pursuant to N.J.A.C. 5:30-5.5(b), there certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

Be It Further Resolved, that the duration of the contracts between the Township of Edison and the Referenced State Contract Vendors shall be for a period of (1) year.

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-12a
\$49,846.50**

Whereas, the Township of Edison, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

Whereas, the Township of Edison, has the need on a timely basis to purchase goods or services utilizing State contracts; and

Whereas, the Township of Edison intends to enter into a contract with Windsor Barrel Works, PO Box 47, Kempton, NJ 19529 which have been awarded State Contract No. 59072 / T-0103;

Now, Therefore, Be It Resolved, that the Township of Edison authorizes the Purchasing Agent to purchase Recycling Containers from the approved New Jersey State Contract Vendor through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Contracts; and

Be It Further Resolved, that the governing body of the Township of Edison pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

Be It Further Resolved, that the duration of the contracts between the Township of Edison and the Referenced State Contract Vendor shall be for a period of one (1) year.

RESOLUTION

WHEREAS, bids were received for Contract No. 08-05-18, FIRE DEPT. EQUIPMENT AND TOOLS – SUPPLY AND REPAIR; and

WHEREAS, a portion of the contract was awarded to Absolute Fire Protection Company, Inc., 2800 Hamilton Blvd., South Plainfield, NJ 07080 for the first year and that first year allotment has been depleted; and

WHEREAS, it has been recommended by the Purchasing Agent that the second year of this contract be awarded, and

WHEREAS, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Absolute Fire Protection Company, Inc. in an amount not to exceed \$90,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 08-04-14, REMANUFACTURED POLICE AUTOMATIC TRANSMISSIONS; and

WHEREAS, this contract was awarded to Varga Enterprises T/A Varga Transmission Center, 937 Joyce Kilmer Avenue, North Brunswick, NJ 08902; for the first year and that first year allotment has been depleted; and

WHEREAS, it has been recommended by the Purchasing Agent that the second year of this contract be awarded, and

WHEREAS, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Varga Enterprises T/A Varga Transmission Center in an amount not to exceed \$15,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 08-02-14R, PHOTOGRAPHY/VIDEO EQUIPMENT AND SUPPLIES; and

WHEREAS, this contract was awarded to Valiant, IMC., 55 Ruta Court, South Hackensack, NJ 07606; for the first year and that first year has expired; and

WHEREAS, it has been recommended by the Purchasing Agent that the second year of this contract be awarded, and

WHEREAS, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Valiant, IMC. in an amount not to exceed \$20,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 08-05-20, RETREAD TIRES; and

WHEREAS, this contract was awarded to F & S Tire Corporation, Inc., PO BOX 1352, Edison, NJ 08818; for the first year and that first year allotment has been depleted; and

WHEREAS, it has been recommended by the Purchasing Agent that the second year of this contract be awarded, and

WHEREAS, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with F& S Tire Corporation, Inc. in an amount not to exceed \$15,000.00.

RESOLUTION

WHEREAS, bids were received for Contract No. 09-10-03, GENERATOR MAINTENANCE AND REPAIR; and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that this contract be awarded to Foley, Incorporated, 855 Centennial Avenue, Piscataway, NJ 08855; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Foley, Incorporated in an amount not to exceed \$107,980.00 (\$82,980 for yearly maintenance and \$25,000.00 for repairs).

RESOLUTION

WHEREAS, N.J.S.A. 40A:2-4 imposes an unlimited obligation upon municipalities to pay the debt service due on its obligations without limitation as to debt or amount; and
WHEREAS, the following debt service amounts will come due during calendar year 2010:

Payment of Bond Principal	\$3,590,000.00	
Interest on Bonds	\$2,821,259.87	
Green Trust Loan Program, Principal and Interest	\$ 254,225.58	
M.C.I.A. Capital Lease Payments	\$1,186,013.41	
NJEIT Loan, Principal and Interest	<u>\$ 217,929.48</u>	
Total Municipal Debt Service		\$8,069,428.34
Local School District Debt Service		<u>\$1,206,762.50</u>
TOTAL DEBT SERVICE OBLIGATIONS		
\$9,276,190.84		

NOW, THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned “total debt service obligations” may be paid during the calendar year by the proper township officials as they become due and that any and all prior acts taken by the proper township officials consistent with this Resolution to meet the payment obligations of the Township as authorized in N.J.S.A. 40A:2-4 are hereby ratified and approved.

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 \$99,220.32.

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 \$917.45 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.

TOWNSHIP OF EDISON
MIDDLESEX COUNTY

RESOLUTION

WHEREAS, the State of New Jersey, Department of Law and Public Safety, Juvenile Justice Commission (JJC) is responsible for implementation of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended; and,

WHEREAS, the Township of Edison is desirous of applying for funding not to exceed \$20,000 from the New Jersey Juvenile Justice Commission, Office of Juvenile Justice and Delinquency Prevention (OJJDP) Summer Expansion Programming Grant for the expansion of a community based, delinquency prevention program entitled Summer Outreach Program developed and funded by the Edison Municipal Alliance; and

WHEREAS, in order to receive this grant for May – September, 2010, the Township of Edison must make application and enter into agreements with the JJC; and

WHEREAS, the Municipal Council of the Township of Edison has reviewed said application and finds approval thereof to be in the best interests of the Township of Edison and;

WHEREAS, said project is a joint project between the State of New Jersey (JJC) and the Township of Edison for the purposes therein described:

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council that the Township of Edison, Middlesex County, New Jersey,

(1) that as a matter of public policy the Township of Edison wishes to participate

the State of New Jersey (JJC) to the greatest extent possible;

(2) that the Juvenile Justice Commission (JJC) be requested to accept said application on behalf of the Township of Edison;

(3) that the appropriate fiscal officer will accept the funds in connection with said project from the JJC and make disbursements in accordance with said application; and

(4) that the appropriate Township Officials are hereby authorized to file the necessary applications and to enter into agreements and contracts with the Juvenile Justice Commission (JJC) for funding and implementation of this program.

EXPLANATION: This ordinance amends section 2-2.13 of the Township Code entitled “Addressing the Council.”

EDISON TOWNSHIP

ORDINANCE O.____-2010

BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter 2 entitled “Administration” is hereby amended as follows:

SECTION I. Section 2-2.13 (e) entitled “Manner of Addressing the Council” is hereby amended by increasing the time limit for a person to address the council from four (4) minutes to six (6) minutes. The entry shall read as follows:

(e) Manner of Addressing the Council. Upon recognition from the chair, a person shall proceed to the floor and give his or her name, and address, in an audible tone of voice for the records. He or she shall limit his or her statement to [four (4)] ~~six~~ (6) minutes. Any person may speak only once on each of the categories of business described in paragraph a., b. and c. above. Each such statement shall be limited to [four (4)] ~~six~~ (6) minutes.

1. Statements shall be addressed to the Council President and not to any member thereof. A Councilperson shall not direct any question to a speaker addressing the Council except through the presiding officer.

2. It shall be the duty of the Township Clerk to monitor the [four (4)] ~~six~~ (6) minutes with an appropriate timer and notify the Council President or the presiding officer when the speaker's time has elapsed.

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.

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of UAG Ferrari Maserati, located at Rt1 North & Wasko Road in Block: 265-BB, Lot: 46E & 113 and Application #P01-04/05; and

WHEREAS, the Cash Performance and Performance Bond was released on July 8, 2005, Resolution #419-082005 & 420-082005; and

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

WHEREAS, on October 21, 2004, J. Albanese Construction Co, Inc. posted a check #29754 in the amount of \$2,063.48, on deposit with the Township of Edison in account #7200025005 for engineering inspection fees; 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 \$880.00; and

WHEREAS, it is in now in order that the sum of \$1,183.48, which represents the amount due and owing the applicant, be returned to J. Albanese Construction Co. Inc.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$1,183.48, be refunded to J. Albanese Construction Co. Inc. having offices at 123 Oakland Avenue, Jersey City, N.J. 07306 ; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$1,183.48, in account #7200025005 to the applicant.

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of 19 Langstaff Avenue Application #Z34-03/04 located in Block:118, Lot:38 & 39, 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, additional Inspection Fees in the amount of \$100.02 was posted in Account #7760216697 which now has a zero balance.

WHEREAS, on December 3, 2009 a Maintenance Bond Check #7614 of Wachovia Bank in the amount of \$5,067.00 was posted by Mehul Auto Inc.; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Check #136225893 of Wachovia Bank in the amount of \$36,482.40 on deposit in account #7760013295, with the Township of Edison, principal being Mehul Auto Inc., and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond, Check #136255892 in the amount of \$4,053.60, on deposit in account #7760013295 with the Township of Edison, principal being Mehul Auto Inc., having offices at 19 Langstaff Ave., Edison, N.J. 08817 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 of \$36,482.40, on deposit in account #7760013295 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 \$4,053.60, on deposit in account #7760013295 to the applicant.

EXPLANATION: RESOLUTION OF CONTRACT (# 09-25-01A) AWARD FOR EDISON SENIORS CENTER IMPROVEMENTS, FUNDED THROUGH THE CDBG, IN THE TOWNSHIP OF EDISON, MIDDLESEX COUNTY, NJ.

**RESOLUTION
TOWNSHIP OF EDISON**

WHEREAS, the Township of Edison desires to perform certain improvements to the Edison Seniors Center, and such improvements are eligible to be funded through the Community Development Block Grant (CDBG), Township of Edison, Middlesex County, NJ; and

WHEREAS, the Edison Township Engineer prepared bid documents for the Seniors Center Improvements, Township of Edison, Middlesex County, NJ, and requested a contract be publicly advertised for bid; and

WHEREAS, eight (8) sealed bids for Contract No. 09-25-01A, Edison Seniors Center Improvements, Township of Edison, Middlesex County, NJ, were received by and opened on Thursday, November 5, 2009, at 11:00 am; and

WHEREAS, V & K Construction Corporation, 37 Bartha Avenue, Edison, NJ 08817, is the low bidder with a base bid and total bid of \$34,900.00; and

WHEREAS, the Edison Township Engineer has reviewed the bids with the CDBG Coordinator and the Township Engineer has recommended award of a contract to the low bidder, V & K Construction Corporation, 37 Bartha Avenue, Edison, NJ 08817, at the base bid amount and total bid amount not to exceed \$34,900.00.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a construction contract be awarded to V & K Construction Corporation, 37 Bartha Avenue, Edison, NJ 08817, at the total bid amount not to exceed \$34,900.00, under the Community Development Block Grant (CDBG) Program, for Contract No. 09-25-01A, Edison Seniors Center Improvements, Township of Edison, Middlesex County, NJ.

EXPLANATION: RESOLUTION OF CONTRACT (#09-25-03) AWARD FOR THE 2009 CDBG CURB AND SIDEWALK REPLACEMENT PROGRAM, FOR VARIOUS STREETS, TOWNSHIP OF EDISON, MIDDLESEX COUNTY, NJ.

**RESOLUTION
TOWNSHIP OF EDISON**

WHEREAS, the Township of Edison desires to replace certain curb and sidewalk sections and install barrier-free curb ramps in the designated Census Tract 19.02, Block 3, funded through the Community Development Block Grant, and under the 2009 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, NJ; and

WHEREAS, the Edison Township Engineer has prepared bid documents for the 2009 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison; and

WHEREAS, eighteen (18) sealed bids for Contract No. 09-25-03, 2009 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, NJ, were received by and opened on Tuesday, November 24, 2009, at 11:00 am; and

WHEREAS, Buckler Associates, Inc., 182 Wycoff Way West, East Brunswick, NJ 08816 (phone # 732-651-0850), is the low bidder, with a base bid, and total bid, of \$108,315.50; and

WHEREAS, the Edison Township Engineer has reviewed the bids with the CDBG Coordinator and the Township Engineer has recommended award of a contract to the low bidder, Buckler Associates, Inc., 182 Wycoff Way West, East Brunswick, NJ 08816, at the base bid amount, and total bid amount not to exceed \$108,315.50.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a construction contract be awarded to Buckler Associates, Inc., 182 Wycoff Way West, East Brunswick, NJ 08816, at a total amount not to exceed \$108,315.50, for Contract No. 09-25-03, 2009 CDBG Curb and Sidewalk Replacement Program, For Various Streets, Township of Edison, Middlesex County, New Jersey.

EXPLANATION: This Resolution authorizes the Township Engineer to execute transportation, environmental, and other regulatory permit applications on behalf of the Township of Edison. This resolution also establishes the Township Engineer as the “Community Official” responsible for floodplain management under the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) National Flood Insurance Program.

TOWNSHIP OF EDISON

RESOLUTION

BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that Edison Township Engineer, John A. Medina, P.E., is hereby authorized to prepare and execute as may be necessary on behalf of the Township of Edison, any and all, transportation, environmental, and other regulatory permit applications required to be issued by federal, state, county, regulatory body or entity (including but not limited to permit applications under the NJDEP, the NJDOT, the FSCD, and/or the County of Middlesex); and

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that Edison Township Engineer, John A. Medina, P.E., is also designated as the Community Official responsible for floodplain management under the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) National Flood Insurance Program, and is hereby authorized to sign and execute such Community Acknowledgement Forms, certifications, and prepare FEMA applications, as may be deemed necessary pursuant to the National Flood Insurance Program, on behalf of the Township of Edison.

EXPLANATION: This Resolution establishes the hourly rates to be charged for in-house review of applications for development, review and preparation of documents, inspection of improvements, or other charges made under N.J.S.A. 40:55D-53.2(a).

**TOWNSHIP OF EDISON
RESOLUTION**

BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that in accordance with Section 53.2(a) of the Municipal Land Use Law, (the "MLUL"), the attached 2010 Engineering Escrow Fee Schedule establishing the hourly rates to be charged for in-house review of applications for development, review and preparation of documents, inspection of improvements, or other charges authorized by the MLUL is hereby approved.

BE IT FURTHER RESOLVED, that the Township Engineer shall maintain the 2010 Engineering Escrow Fee Schedule hereby established and shall transmit updates or revisions to the 2010 Fee Schedule to the Township Clerk should updates or revisions be necessary during the course of the year 2010.

EXPLANATION: This Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.

**TOWNSHIP OF EDISON
RESOLUTION**

WHEREAS, under certain parameters promulgated by the New Jersey Department of Environmental Protection (NJDEP), it is necessary that an application be submitted with Township endorsement to the aforesaid agency for treatment works approvals and/or extensions to the Edison Township sanitary sewer system; and

WHEREAS, pursuant to New Jersey Statutes, it is a requirement that the applicants gain approval of the aforementioned Edison Township sanitary sewer system extension from the Middlesex County Utilities Authority (MCUA) and the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the required approval for the Edison Township sanitary sewer system extensions, and/or temporary discharges to the Edison Township sanitary sewer system, will not be approved unless the applications bear the signature of the Edison Township Engineer, John A. Medina, P.E., to indicate his approval;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Edison Township Engineer, John A. Medina, P.E., be and is hereby authorized to sign the required applications for treatment works approval (TWA) for extensions to the Edison Township sanitary sewer system, and for applications for temporary discharge approval (TDA), as the case may be, for submission to the Middlesex County Utilities Authority (MCUA) and/or the New Jersey Department of Environmental Protection.

RESOLUTION

WHEREAS, it is the duty of the Municipal Council to appoint members to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council wishes to appoint Harish Verma as a member of the Zoning Board of Adjustment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Harish Verma, 29 Prestwick Way, Edison, New Jersey 08820 be and he is hereby appointed as a member of the Zoning Board of Adjustment, said term to expire December 31, 2013.