

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Tuesday, January 21, 2014
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 14, 2013 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 23, 2013
 - b. Closed Session of December 9, 2013
 - c. Combined Meeting of November 13, 2013
 - d. Combined Meeting of November 26, 2013
 - e. Worksession Meeting of December 9, 2013
 - f. Worksession Meeting of January 6, 2014
 - g. Regular Meeting of December 11, 2013
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Awarding of Professional Services Contract for Township Attorney.
 - b. Award of Contract/Purchase order for Office furniture for the year of 2014.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through January 16, 2014
 - b. Resolution authorizing refund in the amount of \$511,755.65 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$1,768.20
 - d. Resolutions authorizing overpayment refund caused by United States Bankruptcy Court Order.
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 12-25-02: 2012 CDBG Curb and Sidewalk Replacement Program, for various streets, Phase 2 and this resolution also authorizes FINAL

CONTRACT PAYMENT in an amount not to exceed \$3,500.62 to M.N.C. General Contracting, Inc. for a total construction contract as-built cost of \$104,649.27 (\$167,088.00 original bid).

- b. Resolution Releasing of Maintenance Bond on Site Improvements.
- c. Resolution authorizing refund for Zoning Variance Fee.
- d. Resolutions authorizing refund of Tree Maintenance Bonds.
- e. Resolution to refund unexpended Engineering Inspection Fee Escrow.
- f. Resolution to release Cash Performance Bond
- g. Resolution to release Performance Guarantee Bond.
- h. Awarding of Contract for Home Improvements as part of the Community Development Block Grant Program.

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**

- a. Awarding of Contract for Public Bid No. 13-03-08 for the Furnishing of Materials.
- b. Awarding Contract/Purchase Order for four (4) Titan Tires.
- c. Resolution rejecting all bids for HVAC Control System upgrade, maintenance and repair.
- d. Resolution authorizing additional funds for the Emergency Pump Station repair contract.

12. **FROM THE CHIEF OF FIRE:**

- a. Approval of Volunteer Firefighter
- b. Resolution authorizing development and submission of FY2013 USDHA FEMA Fire Prevention Safety Grant.

13. **FROM THE TOWNSHIP CLERK:**

- a. Resolution authorizing payment of NJ State League of Municipalities 2014 Dues.
- b. Person to Person and Place to Place transfer of Plenary Retail Consumption Liquor License.

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

15. **DISCUSSION ITEMS:**

Council President Karabinchak

None

Councilmember Diehl

None

Councilmember Gomez

None

Councilmember Lombardi

None

Councilmember Mascola

None

Councilmember Prasad

None

Councilmember Shah

None

16. **CLOSED SESSION:**
 - a. Personnel/Litigation Matter
17. **ADJOURNMENT**

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EDISON FOR THE PERIOD ENDING January 16, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted
to the Township Council a Report of Disbursements made through January 16, 2014

FUND	AMOUNT
Current	\$12,081,746.37
Affordable Housing	350.00
Capital	46,611.92
Cash Performance	0.00
CDBG	138,425.10
Developers Escrow	13,494.18
Dog (Animal Control)	4,909.73
Federal Forfeited	0.00
Grant Funds	4,571.78
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	444,649.31
Sanitation Fund	206,052.33
Sewer Utility	128,162.97
Tax Sale Redemption	148,435.87
Water Operation Fund	0.00
Tree Planting	0.00
Trust	101,906.10
 TOTAL	 \$13,319,315.66

/s/ Janice Saponaro
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township
of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION

WHEREAS, William W. Northgrave, Esq. has an excellent reputation in the area of municipal government, has practiced law for many years, has knowledge of the Township of Edison ("Township") and has extensive legal staff and resources and a multi-disciplinary practice necessary to handle any matter in the municipal arena and any other unanticipated legal issue which may arise from time to time; and

WHEREAS, for these reasons the Mayor and the Township Council recommend William W. Northgrave, Esq., for the position of Township Attorney; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A: 11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

WHEREAS, prior to the execution of a contract, William W. Northgrave, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in McManimon, Scotland & Baumann, LLC, has made any reportable contributions to a political or candidate committee in the Township Council of the Township of Edison in the previous year, and that the contract will prohibit an individual with a 10% interest or larger in McManimon, Scotland & Baumann, LLC, from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, *et seq*; and

WHEREAS, this contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, compensation for the professional services included under the Township Attorney Retainer shall be the sum of \$25,000.00, payable in 12 monthly installments at the first Council Meeting of each month, and shall include:

Advise the Council. Advise the Council or its committees or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business;

Prepare Routine Ordinances. Prepare and revise all routine ordinances of the Code when so requested by the Council or any committee thereof;

Prepare Routine Resolutions. Prepare or draft and revise all routine resolutions when so requested by the Council or any committee or member thereof;

Render Opinions. Render his or her opinion on any legal matter or question submitted to him or her by the Council or any of its committees or by any Township officer, in writing or orally;

Attend Council Meetings. Attend Council meetings, including special meetings and conference meetings, for the purpose of giving the Council any legal advice requested by its members;

Bid Openings. Attend and advise the Council or any designated officer of the Township in the opening and awarding of public bids; and

WHEREAS, compensation for the professional services outside of the scope of the above Township Attorney Retainer including but not limited to:

Advise the Mayor and Administration or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business; and

Represent the Township in all legal matters and litigation matters and before all boards and government agencies.

shall be at a rate of \$175 per hour for all attorneys and \$135 per hours for legal assistants; and

WHEREAS, the Township Council feels that it is in the best interest of the Township of Edison to enter into the attached Contract for Professional Services with William W. Northgrave, Esq. to represent the Township as Township Attorney; and

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract for Professional Services with William W. Northgrave, Esq. to represent the Township as Township Attorney.
2. The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5.
3. A certificate showing the availability of funds for the Contract authorized hereby has been provided by the Chief Financial Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2013 calendar year.
4. No payments in excess of the "not-to-exceed" Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Mayor of Edison may, upon ten (10) days written notice, and without cause, terminate the Contract, consistent with State law.
7. The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year, funds in the amount of \$275,000.00 are available in Account No_____.

Janice Saponaro
Chief Financial Officer

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO GLOBAL DISTRIBUTORS, INC. C/O CANTON OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase office furniture for various offices within the Township for the Calendar Year 2014; and

WHEREAS, GLOBAL DISTRIBUTORS INC. C/O CANTON OFFICE FURNITURE, 17 W. Stow Road, P.O. Box 562, Marlton, NJ 08053, has been awarded State Contract Number 81713 under G-2004/Furniture: Office, Lounge; and

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

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

WHEREAS, 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.

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$25,000.00 and any other necessary documents, with GLOBAL DISTRIBUTORS INC. C/O CANTON OFFICE FURNITURE, 17 W. Stow Road, P.O. Box 562, Marlton, NJ 08053 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. 81713 under G-2004.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HON COMPANY
C/O CANTON OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE
FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need to purchase office furniture for various offices within the Township of Edison for the Calendar Year 2014; and

WHEREAS, HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761, has been awarded State Contract Number 81641 under G-2004/Furniture: Office, Lounge; and

WHEREAS, the total amount of this contract, not to exceed \$55,000.00, cannot be encumbered at this time; and

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

WHEREAS, 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.

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$55,000.00 and any other necessary documents, with HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761 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. 81641 under G-2004.

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 \$ **511,755.55**.

January 23, 2014

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 \$1,768.20 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.

January 23, 2014

RESOLUTION
Authorizing Overpayment Refund caused by
United State Bankruptcy Court Order

WHEREAS, This office received an order, which is attached as part of this resolution, from the Bankruptcy Court of United State for the case # 10-24549 in reference to THE GREAT ATLANTIC & PACIFIC TEA COMPANY et al.

WHEREAS, in accordance with the court order, the assessed value of the property below have been reduced as follow for the listed tax year.

TAXPAYER IN RECORD	SECURITY CAP IND TRST C/O PROLOGIS
PROPERTY LOCATION	8 B COURT SOUTH
BLOCK / LOT / QUALIFIER	3.D / 5
2009 ASSESSMENT	\$6,410,600
2010 ASSESSMENT	\$5,913,700
2011 ASSESSMENT	\$5,476,400
2012 ASSESSMENT	\$5,476,400
2013 ASSESSMENT	\$5,476,400

WHEREAS, the reduction in assessed value listed, has caused real estate tax overpayment in the total amount of **\$253,597.49**, each tax year as detail below:

2009 TAX OVERPAYMENT	\$19,863.94
2010 TAX OVERPAYMENT	\$41,461.66
2011 TAX OVERPAYMENT	\$63,381.61
2012 TAX OVERPAYMENT	\$64,121.58
2013 TAX OVERPAYMENT	\$64,768.70

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$253,597.49**.

January 23, 2014

RESOLUTION
Authorizing Overpayment Refund caused by
United State Bankruptcy Court Order

WHEREAS, This office received an order, which is attached as part of this resolution, from the Bankruptcy Court of United State for the case # 10-24549 in reference to THE GREAT ATLANTIC & PACIFIC TEA COMPANY et al.

WHEREAS, in accordance with the court order, the assessed value of the property below have been reduced as follow for the listed tax year.

TAXPAYER IN RECORD	O T R ASSOCIATES
PROPERTY LOCATION	1647-1665 OAK TREE RD
BLOCK / LOT / QUALIFIER	643.DD / 36
2010 ASSESSMENT	15,785,000

WHEREAS, the reduction in assessed value listed, has caused real estate tax overpayment in the total amount of **\$150,101.36**, each tax year as detail below:

2010 TAX OVERPAYMENT	\$150,101.36
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NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$150,101.36**.

January 23, 2014

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 12-25-02: 2012 CDBG Curb and Sidewalk Replacement Program, for Various Streets, Phase 2, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$3,500.62 to M.N.C. General Contracting, Inc., for a total construction contract as-built cost of \$104,649.27 (\$167,088.00 original bid).

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, M.N.C. General Contracting, Inc., PO Box 362, Old Bridge, NJ 08857 (phone # 732-251-3545) was awarded a construction contract through resolution R.603-092012 on September 24, 2012 (purchase order no. 12-05260) in an amount not to exceed \$167,088.00 for Public Bid No. 12-25-02: 2012 CDBG Curb and Sidewalk Replacement Program, for Various Streets, Phase 2, within Census Tract 18.04, Census Block 2, primarily along Old Post Road, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, the Township Engineer has reviewed the project with the CDBG Coordinator and the Township Engineer certifies that the project has been completed, and that a two-year (2-year) maintenance bond, effective from December 9, 2013, in an amount equivalent to 100% of the final as-built construction costs of \$104,649.27 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 payment, including retainage, be made to M.N.C. General Contracting, Inc., in an amount not to exceed \$3,500.62, for a total construction contract as-built cost of \$104,649.27.

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. 12-25-02: 2012 CDBG Curb and Sidewalk Replacement Program, for Various Streets, Phase 2, within Census Tract 18.04, Census Block 2, 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 payment, including retainage, shall be made to M.N.C. General Contracting, Inc., in an amount not to exceed \$3,500.62 for a total construction contract as-built cost of \$104,649.27, and the remaining contract balance of \$62,438.73 shall be unencumbered after final payment is made and said amount restored to the appropriate Township account.

EXPLANATION: This resolution provides for refund of monies spent for Zoning Variance fee.

TOWNSHIP OF EDISON
RESOLUTION

WHEREAS, on October 18,2013, a zoning variance application was filed, Credit Card #061808, and a fee was posted in the total amount of \$100.00 by the applicant, and said fee is now in the process of being refunded to Emmanuel Dimitrankis, residing at 259 Fresh Ponds Road, Monroe Township, NJ 08831; and

WHEREAS, an application was submitted for a variance for signage. During the processing of the variance the Planning and Zoning Division was notified that the applicant did not want to proceed with the application; and

WHEREAS, the Township Engineer recommends the refund of the variance application fee on the Zoning application in the amount of \$100.00 for the referenced application; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$100.00 for variance application for Emmanuel Dimitrakis be refunded to the applicant;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund said amount of \$100.00 from the Refund of Revenue Fund to the applicant, Emmanuel Dimitrakis, residing at 259 Fresh Ponds Road, Monroe Township, NJ 08831.

JAM/lt

Engineering and Zoning -RefundofRevenue-641 Route One

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Leonard Cursi for Site Plan Tree Plantings at 9 Universal Avenue under Tree Permit No. 11-012.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on October 4, 2011 Leonard Cursi posted Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7761963482 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit # 11-012 for property located at 9 Universal Avenue; 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 \$900.00, 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 \$900.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$900.00, plus accrued interest, if applicable, on deposit in Account #7761963482 to Leonard Cursi Construction Co Inc., having an address of 3808 Fleet Avenue, South Plainfield, N.J. 07080-4801.

S:Eng-TreeMaintBondRefundReso-#11-012-LeonardCursi-9UniversalAve

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Leonard Cursi for Site Plan Tree Plantings at 9 Universal Avenue under Tree Permit No. 11-012.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on October 4, 2011 Leonard Cursi posted Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7761963482 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit # 11-012 for property located at 9 Universal Avenue; 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 \$900.00, 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 \$900.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$900.00, plus accrued interest, if applicable, on deposit in Account #7761963482 to Leonard Cursi Construction Co Inc., having an address of 3808 Fleet Avenue, South Plainfield, N.J. 07080-4801.

S:Eng-TreeMaintBondRefundReso-#11-012-LeonardCursi-9UniversalAve

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Leonard Cursi for Site Plan Tree Plantings at 9 Universal Avenue under Tree Permit No. 11-012.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, on October 4, 2011 Leonard Cursi posted Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7761963482 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit # 11-012 for property located at 9 Universal Avenue; 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 \$900.00, 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 \$900.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$900.00, plus accrued interest, if applicable, on deposit in Account #7761963482 to Leonard Cursi Construction Co Inc., having an address of 3808 Fleet Avenue, South Plainfield, N.J. 07080-4801.

S:Eng-TreeMaintBondRefundReso-#11-012-LeonardCursi-9UniversalAve

EXPLANATION: Release of Cash Performance Bond Posted for 236 Fletcher Street.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Pietro Cucaro's Application #P4952, with project located at 236 Fletcher Street, Block 920, and Lot 10.01, 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, a Cash Performance Bond Check # 627-04213 was posted on May 29, 2007 by Pietro Cucaro in the amount of \$11,445.90; and

WHEREAS, a Bond Reduction was posted on June 9, 2010, Resolution # 363-062010 reducing the Cash Performance Bond to \$5,722.95; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Check #627-04213 in the amount of \$5,722.95, principal being Pietro Cucaro, having offices at 177 East Edgar Road, Linden, New Jersey 07036, and acceptance of the subject improvements; and

WHEREAS, a Cash Performance Bond in the amount of \$5,722.95 is on deposit with the Township of Edison;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$5,722.95, plus accrued interest on deposit in account #7760013315, to the applicant.

S:EngPNut-Karen-RetReso-CashPerfBond-PietroCucaro-BalBondRed

EXPLANATION: Release of Cash Performance Bond Posted for 236 Fletcher Street.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Pietro Cucaro's Application #P4952, with project located at 236 Fletcher Street, Block 920, and Lot 10.01, 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, a Cash Performance Bond Check # 627-04213 was posted on May 29, 2007 by Pietro Cucaro in the amount of \$11,445.90; and

WHEREAS, a Bond Reduction was posted on June 9, 2010, Resolution # 363-062010 reducing the Cash Performance Bond to \$5,722.95; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Check #627-04213 in the amount of \$5,722.95, principal being Pietro Cucaro, having offices at 177 East Edgar Road, Linden, New Jersey 07036, and acceptance of the subject improvements; and

WHEREAS, a Cash Performance Bond in the amount of \$5,722.95 is on deposit with the Township of Edison;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$5,722.95, plus accrued interest on deposit in account #7760013315, to the applicant.

S:EngPNut-Karen-RetReso-CashPerfBond-PietroCucaro-BalBondRed

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO STAVOLA CONSTRUCTION
MATERIALS FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on November 7, 2013 for Public Bid No. 13-03-08-Materials; and

WHEREAS, STAVOLA CONSTRUCTION MATERIALS, 175 Drift Road, Tinton Falls, NJ 07724 submitted the lowest legally responsible bid for various Items (A, B & C - Stone & Bituminous Materials) as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$289,500.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

3. All bids have been reviewed, and the bid by STAVOLA CONSTRUCTION MATERIALS, 175 Drift Road, Tinton Falls, NJ 07724 for Materials is determined to be the lowest legally responsible bid for various Items (A, B & C - Stone & Bituminous Materials) as listed on the spreadsheet.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$289,500.00 and any other necessary documents, with STAVOLA CONSTRUCTION MATERIALS.
5. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO TRAP ROCK INDUSTRIES
INCORPORATED FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on November 7, 2013 for Public Bid No. 13-03-08-Materials; and

WHEREAS, TRAP ROCK INDUSTRIES INCORPORATED, P.O. Box 419, Kingston, NJ 08528, submitted the lowest legally responsible bid for various Items (B & C - Road Stone & Bituminous Materials) as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$2,009,500.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 by TRAP ROCK INDUSTRIES INCORPORATED, P.O. Box 419, Kingston, NJ 08528 for Materials is determined to be the lowest legally responsible bid for various Items (B & C - Road Stone & Bituminous Materials) as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,009,500.00 and any other necessary documents, with TRAP ROCK INDUSTRIES INCORPORATED.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHEMUNG SUPPLY CORP.
FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on November 7, 2013 for Public Bid No. 13-03-08-Materials; and

WHEREAS, CHEMUNG SUPPLY CORP., P.O. Box 527, Elmira, NY 14902, submitted the lowest legally responsible bid for Items G & J of the bid - Drainage Pipe and Guardrail - as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$48,736.80, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 by CHEMUNG SUPPLY CORP., P.O. Box 527, Elmira, NY 14902, for Materials is determined to be the lowest legally responsible bid for Items G & J of the bid - Drainage Pipe and Guardrail - as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$48,736.80 and any other necessary documents, with CHEMUNG SUPPLY CORP.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO JOHN DEERE LANDSCAPES
FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on November 7, 2013 for Public Bid No. 13-03-08-Materials; and

WHEREAS, JOHN DEERE LANDSCAPES, 1385 E. 36th St., Cleveland, OH 44114, submitted the lowest legally responsible bid for Item I-3-Calcium Chloride Pellets - as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$2,040.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 by JOHN DEERE LANDSCAPES, 1385 E. 36th St., Cleveland, OH 44114 for Materials is determined to be the lowest legally responsible bid for Item I-3-Calcium Chloride Pellets - as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,040.00 and any other necessary documents, with JOHN DEERE LANDSCAPES.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO INTERNATIONAL SALT CO.
FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on November 7, 2013 for Public Bid No. 13-03-08-Materials; and

WHEREAS, INTERNATIONAL SALT CO., 655 Northern Blvd., Clarks Summit, PA 18411, submitted the lowest legally responsible bid for Item I-4 - Ice Melter - as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$2,876.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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 by INTERNATIONAL SALT CO., 655 Northern Blvd., Clarks Summit, PA 18411 for Materials is determined to be the lowest legally responsible bid for Item I-4 - Ice Melter as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,876.00 and any other necessary documents, with INTERNATIONAL SALT CO.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
EDWARDS TIRES FOR THE PURCHASE OF FOUR (4) TITAN TIRES FOR THE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, quotes were solicited by The Township of Edison for the purchase of four (4) Titan Tires for the Department of Public Works; and

WHEREAS, EDWARDS TIRE, P.O. Box 704, Farmingdale, NJ 07727, submitted the lowest quote in the amount of \$5,400.00 (\$1,350.00 each); and

WHEREAS, the maximum amount of the purchase shall not exceed \$5,400.00; and

WHEREAS, funds in the amount of \$5,400.00 have been certified to be available in the Streets & Roads Motor Vehicle Repairs Account, Number 4-01-26-0290-000-034; and

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

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

1. All quotes have been reviewed, and the quote as submitted by EDWARDS TIRE, P.O. Box 704, Farmingdale, NJ 07727 for the purchase of four (4) Titan Tires for the Department of Public Works is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents with EDWARDS TIRE in the amount of \$5,400.00 for the purchase of four (4) Titan Tires for the Department of Public Works.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,400.00** are available for the above in Account No. **4-01-26-0290-000-034**.

Janice A. Saponaro
Chief Financial Officer

Date

**RESOLUTION REJECTING ALL BIDS FOR HVAC CONTROL SYSTEM UPGRADE AND
MAINTENANCE/HVAC MAINTENANCE AND REPAIR**

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on November 6, 2013, for Public Bid No. 13-08-24, HVAC CONTROL SYSTEM UPGRADE AND MAINTENANCE/HVAC MAINTENANCE AND REPAIR with a bid opening date of December 3, 2013; and

WHEREAS, Section 40A:11-13.2d of the Local Public Contracts Law allows for the rejection of bids when the contracting agent wants to substantially revise the specifications for the goods or services.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey as follows:

1. The bids for Public Bid No. 13-08-24, HVAC CONTROL SYSTEM UPGRADE AND MAINTENANCE/HVAC MAINTENANCE AND REPAIR are hereby rejected pursuant to N.J.S.A 40A:11-13.2d .
2. The Purchasing Agent is hereby authorized to rebid said project.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE EMERGENCY
PUMP STATION REPAIRS CONTRACT WITH NORTHEAST POWER
FLUID COMPANY IN AN AMOUNT NOT TO EXCEED \$50,000.00**

WHEREAS, NORTHEAST FLUID POWER COMPANY II was awarded Contract No. 13-01-05, Emergency Pump Station Repairs through Resolution R. 089-022013 in the amount of \$45,000.00 and that amount has been depleted; and

WHEREAS, the new Emergency Pump Station Repairs contract is in the process of being rebid and the Township recommends we extend this in the amount not to exceed \$50,000.00 with NORTHEAST FLUID POWER COMPANY II with the price as well as all terms and conditions to remain the same until such as time as the new contract is awarded; and

WHEREAS, the total amount of this contract, not to exceed \$50,000.00, cannot be encumbered at this time; and

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

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00, and any other necessary documents, with NORTHEAST FLUID POWER COMPANY II as described herein.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION

WHEREAS, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) has recently provided an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the Fire Prevention and Safety Program (FPS); and

WHEREAS, the 2013 USDHS FEMA FPS Program provides grant funds to assist in the acquisition of equipment and/or services to support local Fire Prevention and Safety inspection, enforcement and public education activities; and

WHEREAS, the Township of Edison Fire Prevention Bureau intends to apply for grant funding of up to \$35,000.00, available from the FY 2013 USDHS FEMA FPS Program; and

WHEREAS, FY 2013 USDHS FEMA FPS Program will provide 80% reimbursable grant funds with 20% cash match required of the awarded entity, for approved, eligible request items; and

WHEREAS, such funding as to be obtained from the FY 2013 USDHS FEMA FPS Program will be used to develop and implement a year-long program to educate and inform the residents, businesses, organizations and institutions of the Township of Edison in currently available methods and technologies of fire safety and prevention, including but not limited to the purchase of necessary equipment and supplies to support those public safety awareness efforts.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that it does hereby approve and authorize the development and submission of said grant application in a timely and compliant manner, at a regularly-scheduled Public Meeting on Wednesday, January 23, 2014.

USDHS FEMA Fire Prevention and Safety Grant Program Description

The Fire Prevention and Safety Grants (FPS) are part of the Assistance to Firefighters Grants (AFG) and are under the purview of the Grant Programs Directorate in the Federal Emergency Management Agency. FPS grants support projects that enhance the safety of the public and firefighters from fire and fire-related hazards. The primary goal is to target high-risk populations and mitigate high incidences of death and injury. Examples of the types of projects supported by FPS include fire prevention and public safety education campaigns, juvenile fire-setter interventions, media campaigns, and arson prevention and awareness programs.

**RESOLUTION AUTHORIZING PAYMENT TO THE NEW JERSEY STATE
LEAGUE OF MUNICIPALITIES FOR 2014 MEMBERSHIP DUES**

WHEREAS, the Township of Edison is a member of the New Jersey State League of Municipalities and benefits from said membership;

WHEREAS, membership benefits include updates and alerts on pending legislation, publications, positions on legislations affecting municipalities, training, seminars, advisory services, grant services, and other services to benefit Edison Township; and

WHEREAS, funds in the amount of \$5,800.00 have been certified to be available in the Municipal Clerk-Professional Association Dues Account, Number 4-01-20-0120-001-044 subject to and contingent upon Council adoption of the 2014 temporary and/or final budget.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$5,800.00, with NJ STATE LEAGUE OF MUNICIPALITIES, 222 West State Street, Trenton, NJ 08608 as set forth above.

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. **4-01-20-0120-001-044** subject to and contingent upon Council adoption of the 2014 temporary and/or permanent final budget.

Janice Saponaro
Chief Financial Officer

Date

RESOLUTION

WHEREAS, an application has been filed for a Person-to-Person & Place-to-Place Transfer of Plenary Retail Consumption Liquor License #1205-33-062-001, to QSL of Edison, LLC, to be located at 561 Route 1, Edison, NJ, heretofore issued to Wick Wholesalers, Inc, formerly a pocket license.

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Edison Township Governing Body does hereby approve, effective January 23, 2014, the transfer of the aforesaid Plenary Retail Consumption License to QSL of Edison, LLC., t/a Quaker Steak & Lube, for premises located at 561 Route 1, Edison, NJ 08817 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to QSL of Edison, LLC, effective January 24, 2014."

New License #1205-33-062-002

