

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
January 24, 2013**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:02 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Lombardi, and Mascola.
Councilmember Dr. Prasad entered at 6:37pm.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Management Specialist Stephens, Public Works Director Roderman, Health Director Elliot, Township Engineer Medina, Deputy Chief Vaticano, and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES

a. through c. No comments were made.

**5. ADMINISTRATIVE AGENDA
FROM MAYOR ANTONIA RICIGILANO:**

a. No comment was made.

b. and c. Council President Diehl pulled these items from the agenda.

6. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Gomez said the Public Safety Committee is working on a date to meet with Ms. Ruane, the Directors and the OEM Coordinators.

7. POINTS OF LIGHT

None

8. FROM THE BUSINESS ADMINISTRATOR:

a. Councilmember Karabinchak asked that this item be tabled until the budget is done.

b through f. No comments were made.

9. FROM THE DEPARTMENT OF FINANCE:

a. through d. No comments were made.

10. FROM THE DEPARTMENT OF HEALTH:

a. and b. No comments were made.

c. Ms. Ruane was asked to explain.

Ms. Ruane said we contracted for this during the last quarter of 2012 and now we are contracting for a full year at the same cost. This was Ms. Gulla's position and it brings a savings of salary and benefits.

d. No comment was made.

11. FROM THE DEPARTMENT OF LAW:

a. Mr. Kemm explained that this is bulk waste that we deposit.

12. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. and b. Mr. Medina gave an explanation of both items.

13. FROM THE PUBLIC WORKS:

a. through d. No comments were made.

14. FROM THE DEPARTMENT OF RECREATION:

a. No comment was made.

Council President Diehl complimented Ms. Halliwell and her staff on the excellent job they did for the Martin Luther King Celebration.

15. **FROM THE CHIEF OF FIRE:**
a. No comment was made.
16. **FROM THE CHIEF OF POLICE;**
a. No comment was made.
17. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
Council President Diehl said we will be adding Resolution R.053-012013 to the agenda appointing Michael Lombardi to Planning Board.
18. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:**
- O.1818-2013 No comment was made.
O.1819-2013 No comment was made.
O.1820-2013 No comment was made.
O.1821-2013 No comment was made.
19. **DISCUSSION ITEMS:**
- Council President Diehl:**
None
- Councilmember Gomez:**
None
- Councilmember Karabinchak:**
a. through c. No comments were made.

d. He said he plans to present this for review beginning in February.

e. He said they will look at moving the Board of Education election date to the General Election.
- Councilmember Lankey:**
None
- Councilmember Lombardi:**
a. He read the list of sale items for the auction.
- Councilmember Mascola:**
a. He asked for a report on the storm.

Ms. Ruane said he would have it by the end of meeting.

b. He said there are two more items that need to be clarified with Mr. Medina.
- Councilmember Prasad:**
Absent
20. **CLOSED SESSION:**
None

APPROVAL OF MINUTES

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, and duly carried, the Minutes of the Regular Meeting of November 28, 2012, Closed Session Meeting of December 26, 2012, and Reorganization Meeting of January 7, 2013 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Diehl asked if we are trying to save money on heat as there does not appear to be any heat in the Council Chambers. He asked Ms. Ruane what is going on.

Mr. Roderman said there is an issue with the circulating pump.

APPROVAL OF VOLUNTEER FIREFIGHTER:

Applications for membership were received by:

Fire Company #1
Christopher Taylor

A motion was made by Councilmember Karabinchak, seconded by Councilmember Lankey, and duly carried, the above applications were approved.

ADMINISTRATIVE AGENDA
FROM MAYOR ANTONIA RICIGLIANO

January 4, 2013

Honorable Members of Council
c/o Cheryl Russomanno, Acting Township Clerk
100 Municipal Boulevard
Edison, NJ 08817

Dear Members of Council:

Please be advised that I hereby re-appointed Sherri Ruggeri of 12 Ovington Avenue, Edison as a class IV member of the Planning Board. Ms. Ruggeri's term will expire on December 31, 2016.

Very truly your,

/s/ Antonia Ricigliano
Mayor

Cc: Ms. Sherri Ruggeri
Lillian Triola, Administrative Officer, Planning Board
Maureen Ruane Business Administrator

The above appointment was received on a motion made by Councilmember Lombardi, seconded by Councilmember Karabinchak, and duly carried.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on January 9, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1818-2013 AN ORDINANCE REMOVING THE AUTHORIZATION TO SELL
POLICE FIREARMS TO LICENSED FIREARMS DEALERS.**

(The above Ordinance O.1818-2013 can be found in its entirety in Ordinance Book # 26 .)

Council President Diehl declared the Public Hearing opened for O.1818-2013.

Esther Nemitz, 162B Fay Street, said she spent time today listening to CSPAN and gathered a great deal of information. The Mayor and Police Chief of Philadelphia said they are out-powered by people with assault weapons. She thanked the Council for making this change.

Hearing no other comments, on a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, the Ordinance was adopted.

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

NAYS - None

The following Ordinance, which was introduced by Title on January 9, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1819-2013

**AN ORDINANCE VACATING UNDEVELOPED
STREETS ON CERTAIN BLOCKS AND LOTS.**

(The above Ordinance O.1819-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl left the dais.

Council Vice President Lombardi declared the Public Hearing opened for O.1819-2013.

Jane Tousman, 14 Butler Road, said there will be a lot of connection fees associated with the Visco application and she asked who will pay for this. She said she hasn't seen anything in writing from the developer.

Mr. Kemm said the developer pays for all the cost of developing.

Ms. Tousman read from a study done by the Edison Wetlands Association and urged the Council to please consider it before making a decision.

Irene Wall, 205 Fleet Avenue, asked what block and lots are being vacated and why they are not listed on the agenda.

Mr. Kemm said the ordinance contains the lot and blocks and street names.

Ms. Wall asked why they are being vacated.

Mr. Kemm explained that Green Acres recommended that the paper streets be vacated. He explained the acreage disbursement as follows, out of the thirteen acres, three are for the church, ten will be sold to the County for Open Space, and another eight acres have already been donated. They are vacating the paper streets so no one can build on the land.

Ms. Wall felt this Township loves to give away land.

Dana Paterson, Edison Wetlands Association, said the dismal swamp is a tremendous resource for wildlife and it is a shame that we are allowing it to be paved over. She passed out a map of the area for the record. She felt by passing both these ordinances we will be destroying wildlife and causing flooding. She encouraged the Council to table this ordinance and felt that they are giving up. She felt it a shame that another parcel of land could not be found for the church. She also stated that Council President Diehl brings children out to the dismal swamp every year and that this is a piece of history. She again asked that this be tabled.

Councilmember Dr. Prasad felt that the Council put in a great effort to explore other opportunities.

Mr. Kemm agreed that the Council explored every possibility.

Councilmember Dr. Prasad said over the year this council has done everything they could to try and save this parcel.

Hearing no other comments, on a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak, and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, the Ordinance was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lankey, Lombardi, Mascola, and Prasad

NAYS - None

Council President Diehl abstained from voting.

O.1820-2013

**AN ORDINANCE AUTHORIZING AN ACCESS
EASEMENT ACROSS TOWNSHIP PROPERTY
DESIGNATED AS BLOCK 595-C, LOT 2 FOR
THE BENEFIT OF BLOCK 595-B, LOTS 11 THRU 31, AND 32-A
THRU 46 AND PORTIONS OF BLOCK BLOCK 595-B, LOTS 10 AND
47 A, AND A PORTION OF BLOCK 595-D, LOT 40 PRESENTLY
OWNED BY DOLORES VISCO.**

Council Vice President Lombardi declared the Public Hearing opened for O.1820-2013.

Irene Wall, 205 Fleet Avenue, felt this is similar to a case that was defeated in 2004 due to there being only one ingress and egress and she handed out a copy of that case.

Jane Tousman, 14 Butler Road, said she calls this death by a thousand cuts. This is a flood area that stops flooding in South Plainfield. She said this is a bad deal for Edison and she hopes they will consider their vote carefully.

Esther Nemitz, 162B Fay Street, said this parcel of land is for Open Space and she agrees with Jane that this is not good for Edison. She said there is only one way in and out and asked why we couldn't find another three acre parcel somewhere else.

Dana Paterson, Edison Wetlands Association, asked the Councilmembers if they have been to the dismal swamp and if they have not, can they make a decision on such a valuable resource. She said the Edison Wetlands has spent four years on this project and the Council has never asked for their help. She felt they are giving up and letting the residents down and she urged them to make the right decision for the residents of Edison.

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

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

AYES - Councilmembers Gomez, Karabinchak, Lankey, Lombardi and Prasad

NAYS - Councilmember Mascola
Council President Diehl abstained from voting

Council President Diehl returned to the dais.

The following Ordinance, which was introduced by Title on January 9, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1821-2013 AN ORDINANCE AMENDING SECTION 2-2.1 OF THE TOWNSHIP
CODE TO REMOVE THE REQUIREMENTS THAT THE POSITION OF
MAYOR BE A FULL-TIME POSITION AND HIS/HER PRIMARY
OCCUPATION.**

(The above Ordinance O.1821-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1821-2013.

Joyce Freeman, Edison resident, said she does not understand why we want to go backwards. In a Township of this size we should have a full time Mayor. A part-time Mayor will appoint someone to be here to do the job and she felt this Township is too big for that.

Thomas Goeckel, Saffran Avenue, said he has been a resident for eighty-four years. He explained the changes in the government and the growth in population since the 1930's and he asked why we want to go backwards now. From what he has read in the newspaper he said this sounds like a done deal. He felt we need the best and the brightest in Edison and he urged the Councilmembers to each make their own decision.

Bill Brunner, 215 Loring Avenue, said that some present Councilmembers were on the Council several years ago when this was changed and he asked why it is being changed back now.

Council President Diehl said Jun Choi made it a full time Mayor to justify an increase in salary.

Mr. Kemm said that the Faulkner Act states we cannot put restrictions on or enforce a full time Mayor ordinance.

Council President Diehl said the Council at that time was not apprised of that.

Mr. Brunner felt if we pay a little more we might be able to attract someone to leave their current job to serve as full time Mayor. He said any good CFO could find the money to pay \$200,000 for the Mayor's position in the budget.

Mr. Kemm said the ordinance as it stands now is not enforceable.

Council President Diehl said this is not a stable career and in his past twelve years on the Council there have been several Mayors. The ordinance passed several years ago was illegal and anyone who is qualified can run.

Councilmember Karabinchak said as an elected official he is on call 24-7. That is what elected officials do.

Eleanor Both, 61 Franklin Avenue, said she did a survey of some other municipalities. She said we are the fifth largest municipality so why do we want to go backwards. We need a Mayor in the office at all times of the day. She also asked for all Councilmembers business cards.

Council President Diehl said whether you are the Mayor or a Councilmember, the job is 24-7.

Jane Tousman, 14 Butler Road, read the job responsibilities of the Mayor from our Township Code book.

Charles Burton, 13 Hawthorne Drive, President of Young Democrats, felt young people and professionals should be encouraged and government shouldn't close its doors to anyone.

Joe Petrucelli, 62 Revere Blvd. felt we do not need career politicians. He said good managers don't need to be in the office all day if they have the right management style.

Steve Nagel, 13 Back Drive, he felt the issue is the legality of the ordinance.

Mr. Kemm said the way it stands it is not enforceable.

Tom Goeckel, Saffran Avenue, felt we should not adjust the job but raise the salary. He also said put the question on the ballot and let the people decide.

Councilmember Karabinchak again said as Councilmembers they work for the residents and receive phone calls 24-7.

Mr. Goeckel said why not put the question on the ballot.

Esther Nemitz, 162B Fay Street, asked as a point of information if the question could be placed on the ballot.

Mr. Kemm said he was not sure he would have to do some research.

Council President Diehl said they are all sworn into office to uphold the constitution and cannot do anything that is not lawfully correct.

Charles Tomaro, Waverly Drive East, said all the Mayors in the surrounding municipalities have other jobs and are still available 24-7.

Joyce Freeman, Edison Resident, felt it is insulting to think that this is a 9 to 5 job.

Eleanor Both, 61 Franklin Avenue, said with all due respect to Mr. Tomaro, the surrounding communities he mentioned are smaller than ours.

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

Councilmember Dr. Prasad said we need to attract talent and chose a person that will put in their best effort. Whoever the Mayor is they will put in 24-7 and he felt we should increase the salary.

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

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

NAYS - None

NEW BUSINESS:

PROPOSED ORDINANCE PUBLIC HEARING SET DOWN FOR WEDNESDAY, FEBRUARY 13, 2013.

The following Ordinance was introduced by title:

O.1822-2013

THIS ORDINANCE ESTABLISHES PARKING PROHIBITIONS (NO PARKING) ON A SEGMENT OF RIVERSIDE DRIVE, IN RARITAN CENTER.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on February 13, 2013.

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

NAYS - None

O.1823-2013

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROPRIATING \$39,675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$39,675,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Mascola, this Ordinance was tabled.

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

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.029-012013 through R.053-012013.

Jane Tousman, 14 Butler Road, asked for an explanation of Resolution R.040-012013.

Ms. Ruane explained that they handle all insurance except health.

Irene Wall, 205 Fleet Avenue, asked the date of the auction in Resolution R.043-012013 and if it will be on the website.

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

Council President Diehl requested that Resolution R.037-012013 and R.038-012013 be pulled from the agenda.

Councilmember Lankey requested that Resolution R.029-012013 and R.039-012013 be pulled for separate vote.

Councilmember Karabinchak requested that Resolution R.051-012013 be pulled for separate vote.

Councilmember Lombardi requested that Resolution R.053-012013 be pulled for separate vote.

The following Resolutions R.030-012013 through R.036-012013 and R.040-012013 through R.050-012013 and R.052-012013 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Gomez.

RESOLUTION R.030-012013

RESOLUTION ACCEPTING A GRANT FROM THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE THROUGH THE MIDDLESEX COUNTY 2013 MUNICIPAL DRUG ALLIANCE PROGRAM

WHEREAS, the Township of Edison is eligible to receive grant funding up to \$84,064.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2013 Municipal Alliance Program; and

WHEREAS, the Edison Municipal Alliance/Youth Services Commission is desirous of applying for the grant funds available from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of Edison; and

WHEREAS, these services provide a significant benefit to the residents of the Township by providing primary prevention and early intervention services to those at risk of developing lifelong addictions or struggling to overcome them, and educating our children to help them avoid falling into the traps of alcoholism, smoking, and drug abuse; and

WHEREAS, in order to receive said grant the Township must match funds, 25% in cash and 75% in kind service to be eligible; and

WHEREAS, upon approval of the CY 2013 budget it is anticipated that funds in the amount of \$21,016.00 will be certified to be available in Account 3-01-27-0330-005-000 which will be sufficient to meet the required 25% cash match.

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

1. The Edison Municipal Alliance/Youth Services Commission is authorized to develop and file a grant application with the County of Middlesex from the 2013 Municipal Alliance Program.
2. The Mayor, or her designee, is hereby authorized to execute the necessary applications and any other documents for said funding and the implementation of this Municipal Alliance Grant program.

RESOLUTION R.031-012013

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MARISOL RODRIGUEZ FOR THE ABC PROGRAM**

WHEREAS Marisol Rodriguez made payment in the amount of \$240.00 for her children, Jacob Adames & Bryan Adames' participation in the afternoon ABC/YAP Programs at James Monroe Elementary School; and

WHEREAS an overpayment was made.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$240.00 to Marisol Rodriguez, 175 Fay St., Apt. B, Edison, NJ 08837, which amount represents the overpayment for the ABC program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$240.00 are available in Account #2-01-55-0291-000-000.

/s/ Janice Saponaro
Acting Chief Financial Officer

RESOLUTION R.032-012013

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 \$1,711.72 and

WHEREAS, the attached listing is a detail of the requested refund.

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

RESOLUTION R.033-012013

EXPLANATION: This resolution provides for Township Acceptance of the constructed Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building, under Public Bid No. 11-03-29, and authorizes FINAL CONTRACT PAYMENT to FAIGON ELECTRIC INC., for a total construction contract as-built cost of \$633,715.28.

WHEREAS, FAIGON ELECTRIC, INC., 140 Eleventh Street, Piscataway, NJ 08854, was awarded a base bid construction contract through resolution R.467-062011 in an amount not to exceed \$630,000.00 for Public Bid No. 11-03-29: Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, FAIGON ELECTRIC, INC., was subsequently awarded a contract amendment for a Change Order No. 1 to install a new meter pan as per PSE&G requirements, through resolution R.653-102012 in an amount not to exceed \$3,715.28, resulting in a revised total contract ceiling amount of \$633,715.28; and

WHEREAS, the Township Engineer has reviewed the project and the Township Engineer certifies that the project has been contractually completed, and that a two-year (2-year) maintenance bond, effective from December 10, 2012 (the date of substantial completion), in an amount equivalent to 100% of the final as-built PV solar construction costs, less the PSE&G meter pan, in the amount of \$630,000.00 has been received by the Township of Edison, and the Township Engineer recommends project acceptance, release of the performance bond, and that final

retainage payment be made to FAIGON ELECTRIC, INC., in an amount not to exceed \$24,924.31 for a total construction contract as-built cost of \$633,715.28.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the construction project, Public Bid No. 11-03-29: Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building, 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 the final retainage payment shall be made to FAIGON ELECTRIC, INC., in an amount not to exceed \$24,924.31 for a total construction contract as-built cost of \$633,715.28.

RESOLUTION R.034-012013

EXPLANATION: This Resolution authorizes the Mayor and the Township Clerk to execute an Interlocal Service Agreement with the Borough of Dunellen.

WHEREAS, The Interlocal Services Act, N.J.S.A. 40:8-1 et seq. authorizes municipal local units to enter into contracts with one another for the purpose of providing shared services; and

WHEREAS, The Borough of Dunellen is desirous of procuring Animal Control Shelter Services for the period of January 1, 2013 through December, 31 2013 inclusive, to comply with the laws of the State of New Jersey; and

WHEREAS, The Township of Edison is desirous of supplying and undertaking the duties of Animal Control Shelter Services and fulfilling the obligations thereof as prescribed by law; and

WHEREAS, the Borough of Dunellen represents that the funds to meet the costs of this contract are included in the current budget of appropriations, or in the alternative, that there has been and there will continue to be an Ordinance authorizing the appropriation sufficient to meet the costs of carrying out the provisions of the contract.

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

1. The Mayor and Township Clerk are hereby authorized to execute the attached Interlocal service agreement with the Borough of Dunellen for the purpose of providing Animal Control Services to said Borough.
2. The Township Clerk is directed to forward and execute Interlocal service agreement to the Dunellen Borough Clerk, at 355 North Avenue, Dunellen, N.J. 08812, with the instructions to return a fully signed copy to the Township for its records.

RESOLUTION R.035-012013

EXPLANATION: THIS RESOLUTION AWARDS A CONTRACT WITH THE COUNTY OF MIDDLESEX FOR HEALTH OFFICER ADMINISTRATION SERVICES

WHEREAS, the Township of Edison is in need of a Health Officer and related for Health Officer services for the calendar year 2013; and

WHEREAS, the County of Middlesex has agreed to provide these services to the Township of Edison.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey that, the Township Council hereby approves the attached contract with the County of Middlesex for Health Officer Administration services and hereby authorizes the Mayor, Township Clerk and other necessary Township staff to execute and deliver said contract and all other necessary documents and undertake all actions reasonably necessary to effectuate the award of this contract and the intent of this Resolution.

CERTIFICATION OF FUNDS

I hereby certify that upon approval of the CY 2013 budget funds in the amount of \$60,000.00 will be available in Account No. 3-01-27-0330-001-028

/s/Janice Saponaro
Chief Financial Officer

RESOLUTION R.036-012013

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 \$261,212.75.

RESOLUTION R.040-012013

RESOLUTION CHANGING THE PERCENTAGE AMOUNT OF THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO FINANCIAL INSURANCE CONSULTANTS, LLC FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, Resolution R.829-122012 authorized the award of a Non-Fair and open contract to FINANCIAL INSURANCE CONSULTANTS, LLC, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095 for professional risk management consulting services for the period of January 1, 2013 –December 31, 2013, pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, the sample contract submitted by Financial Insurance Consultants, LLC, stated they would provide said services for an amount equal to five point four two percent (5.42%) of Edison Township's annual assessment as promulgated by the Fund but their proposal had the amount of five point three one percent (5.31%); and

WHEREAS, this resolution is clarifying that FINANCIAL INSURANCE CONSULTANTS, LLC, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095, shall provide professional risk management consulting services for an amount equal to five point three one (5.31%) of Edison Township's annual assessment as promulgated by the Fund, not to exceed \$190,000.00; and

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents with FINANCIAL INSURANCE CONSULTANTS, LLC, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095 for professional risk management consulting services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.041-012013

RESOLUTION ACCEPTING QUOTE AND AWARDED CONTRACT TO JERSEY AUTO SPA & QUICK LUBE, LLC FOR CAR WASHING SERVICES FOR THE TOWNSHIP OF EDISON

WHEREAS, quotes were solicited by The Township of Edison for Car Washing Services; and

WHEREAS, JERSEY AUTO SPA & QUICK LUBE, LLC, 1639 Oak Tree Rd., Edison, NJ 08820, submitted the lowest quote; and

WHEREAS, the total amount of this contract, not to exceed \$7,500.00, 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)).

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

1. All quotes have been reviewed, and the bid by JERSEY AUTO SPA & QUICK LUBE, LLC, 1639 Oak Tree Rd., Edison, NJ 08820, for Car Washing Services, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$7,500.00 and any other necessary documents, with JERSEY AUTO SPA & QUICK LUBE, LLC., as described herein

RESOLUTION R.042-012013

RESOLUTION ACCEPTING QUOTE AND AWARDED CONTRACT TO PREMIER CAR CARE CENTER FOR CAR WASHING SERVICES FOR THE TOWNSHIP OF EDISON

WHEREAS, quotes were solicited by The Township of Edison for Car Washing Services; and

WHEREAS, the low bidder, Jersey Auto Spa & Quick Lube, is in the northern end of town and the police cars assigned to the southern end should not leave their assigned areas to have their cars washed; and

WHEREAS, the Township of Edison is awarding PREMIER CAR CARE CENTER, 175 Essex Ave., Metuchen, NJ 08840, a contract for those Police Vehicles assigned in those areas; and

WHEREAS, the total amount of this contract, not to exceed \$2,500.00, 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)).

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$2,500.00 and any other necessary documents, with PREMIER CAR CARE CENTER as described herein.
2. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.043-012013

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, The Township of Edison has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Edison intends to utilize the online auction services of US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 , web address www.usgovbid.com, for the amount of one and one-half percent (1 1/2%) of the receipts of sales; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 – Revised October, 2011.

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

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, www.usgovbid.com.
2. The terms and conditions of the sale are available at www.usgovbid.com.
3. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

RESOLUTION R.044-012013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO J.J. RYAN INCORPORATED FOR THE FURNISHING OF PROMOTIONAL ITEMS

WHEREAS, bids were received by the Township of Edison on December 27, 2012 for Public Bid No. 12-01-18R-Promotional Items; and

WHEREAS, J.J. RYAN INCORPORATED, 242 Amboy Avenue, Woodbridge, NJ 07095 submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$12,000.00, 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)).

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 J.J. RYAN INCORPORATED, 242 Amboy Avenue, Woodbridge, NJ 07095, for Promotional Items, Trophies and Awards is determined to be the lowest legally responsible bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 and any other necessary documents, with J.J. RYAN 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 R.045-012013

RESOLUTION AWARDING CONTRACT TO SAYREBROOK VETERINARY HOSPITAL FOR VETERINARY SERVICES

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on November 30, 2012, for RFP 12-09R, VETERINARY SERVICES for a bid opening date of December 12, 2012 and no bids were received; and

WHEREAS, the Township of Edison re-advertised on December 12, 2012 for a bid opening date of December 28, 2012 and one bid was received; and

WHEREAS, after review of said proposal, it has been recommended by the Township that the contract be awarded to SAYREBROOK VETERINARY HOSPITAL, 1400 Main Street, Sayreville, NJ 08872 in the amount not to exceed \$33,000.00: and

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

1. All proposals have been reviewed, and the proposal as submitted by SAYREBROOK VETERINARY HOSPITAL, 1400 Main Street, Sayreville, NJ 08872 is determined to be the lowest, responsible, responsive proposal for VETERINARY SERVICES.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00 and any other necessary documents, with SAYREBROOK VETERINARY HOSPITAL in accordance with their proposal.

RESOLUTION R.046-012013

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO A J IMAGES, INC. FOR 2013 SANITATION/RECYCLING CALENDARS FOR THE TOWNSHIP OF EDISON

WHEREAS, quotes were solicited by The Township of Edison for 2013 Sanitation/Recycling Calendars for the Township of Edison; and

WHEREAS, AJ IMAGES, INC., 259 East First Ave., Roselle, NJ 07203, submitted the lowest quote in the amount of \$11,652.00 for 30,000 and \$179.00 for each additional 500; and

WHEREAS, funds in the amount of \$11,652.00 have been certified to be available in the Operating Professional Services Account, No. 3-09-55-0800-001-220 and funds in the amount of \$179.00 are available subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

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

1. All quotes have been reviewed, and the quote as submitted by AJ IMAGES, INC., 259 East First Ave., Roselle, NJ 07203 for the 2013 Sanitation/Recycling Calendars for the Township of Edison is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents with AJ Images, Inc., in the amount of \$11,652.00 for 30,000 and if an additional 500 is necessary, may execute an additional contract/purchase order in the amount of \$179.00, making the total amount \$11,831.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,652.00** are available for the above in Account No. **3-09-55-0800-001-220** and funds in the amount of **\$179.00** are available in Account No. **3-09-55-0800-001-220**, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.047-012013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NEW JERSEY OVERHEAD DOOR FOR OVERHEAD DOOR REPAIRS

WHEREAS, bids were received by the Township of Edison on December 20, 2012 for Public Bid No. 12-08-31, Overhead Door Repairs, for the Department of Public Works; and

WHEREAS, NEW JERSEY OVERHEAD DOOR, 14 Valley Road, Manalapan, NJ 07726, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, 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)).

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

1. All bids have been reviewed, and the bid submitted by NEW JERSEY OVERHEAD DOOR, 14 Valley Road, Manalapan, NJ 07726 for Overhead Door Repairs for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00, and any other necessary documents, with NEW JERSEY OVERHEAD DOOR, as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.048-012013

RESOLUTION REJECTING ALL BIDS FOR WOOD WASTE PROCESSING/CHIPPING

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on December 7, 2012, for Public Bid No. 12-02-04, WOOD WASTE PROCESSING/CHIPPING with a bid opening date of December 19, 2012; and

WHEREAS, Section 40A:11-13.2 of the Local Public Contracts Law allows for the rejection of all bids; and

WHEREAS, The Township of Edison desires to reject all bids under Sections 40A11-13.2a - the lowest bid substantially exceeds the cost estimates for the goods or services; and section 40A11:-13.2d - the contracting agent 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. 12-10-24, WOOD WASTE PROCESSING/CHIPPING are hereby rejected pursuant to N.J.S.A 40A:11-13.2a and 40A:11-13.2d.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.049-012013

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

WHEREAS, During the Tropical Storm on October 30, 2012 there were felled trees, electrical lines and damaged building structures that required additional resources of manpower and equipment to clear the streets; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076 was previously approved by Resolution R.785-112012 to provide clean-up services from damage caused by Tropical Storm Sandy and we now need to pay the final payment for completion of services in the amount of an additional \$36,720.00; and

WHEREAS, funds in the amount of \$21,471.35 have been certified to be available in the Snow Removal Account, Number T-13-00-0000-000-017 and funds in the amount of \$15,248.65 have been certified to be available in the Operating-Supplies-General Account Number 2-09-55-0800-001-210.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$36,720.00, and any other necessary documents, with FISCHER CONTRACTING, INC., 10 Short Hills Lane, Scotch Plains, NJ 07076.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$21,471.35** are available for the above in Account No. **T-13-00-0000-000-017** and **\$15,248.65** in Account **2-09-55-0800-001-210**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.050-012013

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MAJOR POLICE SUPPLY FOR
THE PURCHASE OF AN AUTOMATED LICENSE PLATE READER FOR THE DIVISION OF POLICE**

WHEREAS, there is a need to purchase an Automated License Plate Reader for the Division of Police; and

WHEREAS, MAJOR POLICE SUPPLY, 47 N. Dell Ave., Kenil, NJ 07847, has been awarded State Contract Number 80311 under G-2001/Automatic License Plate Reader; and

WHEREAS, the maximum amount of the purchase shall not exceed \$16,412.57; and

WHEREAS, funds for this purchase have been certified to be available as follows:

- \$ 364.08-Account No. G-02-08-0240-746-000-NJOHS Buffer Zone Protection
- \$ 3,296.47-Account No. G-02-09-0240-746-000-NJDHS Buffer Zone Protection
- \$ 8,366.48-Account No. G-02-12-0240-746-000-Buffer Zone Protection Plan FY
- \$ 4,385.54-Account No. G-02-09-0240-743-000-Safe Corridors Program; 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.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$16,412.57 and any other necessary documents, with MAJOR POLICE SUPPLY, 47 N. Dell Ave., Kenil, NJ 07847, 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. 80311 under G-2001.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$16,412.57 are available as follows:

\$ 364.08-Account No. G-02-08-0240-746-000
\$ 3,296.47-Account No. G-02-09-0240-746-000
\$ 8,366.48-Account No. G-02-12-0240-746-000
\$ 4,385.54-Account No. G-02-09-0240-743-000

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.052-012013

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2013

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-20), directs that the Governing Body of a municipality may adopt an Emergency Temporary Resolution after the adoption of Temporary Appropriations but before the adoption of the annual budget to authorize additional appropriations; and

WHEREAS, the initial temporary appropriations were adopted on December 26, 2012 and ;

WHEREAS, the temporary appropriations on the annexed spread sheet are calculated the rate of 1/12th the corresponding 2012 .

NOW, THEREFORE, IT IS RESOLVED by the **COUNCIL OF THE TOWNSHIP OF EDISON**, in the County of Middlesex, New Jersey that the foregoing emergency temporary appropriations above are hereby approved and the proper Township Officials are authorized to process these accordingly.

The following Resolutions will be voted upon separately:

RESOLUTION R.029-012013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING January 17, 2013.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through January 17, 2013.

FUND	AMOUNT
Current	\$17,796,477.32
Affordable Housing	187.50
Capital	5,990.00
Cash Performance	0.00
CDBG	164,908.55
Developers Escrow	23,231.47
Dog (Animal Control)	1,000.15
Federal Forfeited	0.00
Grant Funds	92,990.48
Law Enforcement	0.00
Park Improvement	0.00
Payroll Deductions	454,273.22
Sanitation Fund	213,241.06
Sewer Utility	54,040.66
Tax Sale Redemption	101,490.08
Open Space	0.00
Tree Planting	0.00
Trust	208,861.89
TOTAL	\$19,116,692.38

/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.

A motion was made by Councilmember Lombardi, seconded by Councilmember Karabinchak, to adopt this Resolution.

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

NAYS - None

Councilmember Lankey abstained from voting.

RESOLUTION R.039-012013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO JFK OCCUPATIONAL MEDICINE & EMPLOYEE HEALTH SERVICES FOR THE FURNISHING OF MEDICAL SERVICES

WHEREAS, bids were received by the Township of Edison on December 28, 2012 for Public Bid No. 12-03-23-Medical Services; and

WHEREAS, JFK OCCUPATIONAL MEDICINE & EMPLOYEE HEALTH SERVICES, 65 James Street, Edison, NJ 08820, submitted the lowest legally responsible bid; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, 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)).

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 JFK OCCUPATIONAL MEDICINE & EMPLOYEE HEALTH SERVICES, 65 James Street, Edison, NJ 08820 for Medical Services is determined to be the lowest legally responsible bid.
4. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 and any other necessary documents, with JFK OCCUPATIONAL MEDICINE & EMPLOYEE HEALTH SERVICES.
5. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Lombardi, to adopt this Resolution.

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

NAYS - None

Councilmember Lankey abstained from voting.

RESOLUTION R.051-012013

EXPLANATION: A Resolution authorizing a three (3) year Solid Waste Disposal Agreement with the Middlesex County Utilities Authority.

WHEREAS, the Township of Edison presently utilizes the Middlesex County Landfill ("Landfill") for its solid waste disposal needs and the current contract with the Middlesex County Utilities Authority ("MCUA") has expired; and

WHEREAS, the MCUA has offered discounted rates for a three (3) year renewal contract with no increase in rates for the 2013 calendar year in the attached Solid Waste Disposal Agreement; and

WHEREAS, this contract is exempt from public bidding pursuant to N.J.S.A. 40A:11-5(2) of the Local Public Contracts Law as the contract is with another public entity; and

WHEREAS, the total amount of this contract, not to exceed \$1,218,750.00 in 2013, \$1,173,425 in 2014 and \$1,134,000 in 2015 for Acceptable Solid Waste (ASW) and not to exceed \$89,700.00 in 2013, \$91,700.00 in 2014 and \$92,003.00 in 2015 for ID 13 and ID 13C waste types (being bulky/construction and demolition waste),

which cannot be encumbered at this time and which is subject to the availability and appropriation in this and each subsequent year of sufficient funds as may be required to meet these extended obligations; 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 per N.J.A.C. 5:30-5.5(b).

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, Middlesex County, State of New Jersey that the attached Solid Waste Disposal Agreement between the Township of Edison and the Middlesex County Utilities Authority is hereby approved and the Mayor and other necessary Township staff are hereby authorized to execute and deliver said Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the Agreement and the intent of this Resolution.

A motion was made by Councilmember Lombardi, seconded by Councilmember Gomez, to adopt this Resolution.

AYES - Councilmembers Gomez, Lankey, Lombardi, Mascola, Prasad, and Council President Diehl

NAYS - None

Councilmember Karabinchak abstained from voting.

RESOLUTION R.053-012013

WHEREAS, pursuant to N.J.S.A. 40:55D-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 Michael Lombardi to serve as the Class III Council Representative member of the Edison Township Planning Board for a term of one year ending December 31, 2013.

A motion was made by Councilmember Lankey, seconded by Councilmember Karabinchak, to adopt this Resolution.

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

NAYS - None

Councilmember Lombardi abstained from voting.

RESOLUTION R.037-012013

EXPLANATION: A Resolution reappointing Gary M. Price, Esq. as Chief Municipal Court Judge for the Township of Edison.

WHEREAS, Gary M. Price, Esq. presently serves as Chief Municipal Court Judge for the Township of Edison; and

WHEREAS, Mayor Ricigliano by letter of January 4, 2013 has reappointed Gary M. Price, Esq. as Chief Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

WHEREAS, the Township Council wishes to consent to this appointment.

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

1. Gary M. Price, Esq. is hereby reappointed as Chief Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

This item was pulled from the agenda.

RESOLUTION R.038-012013

EXPLANATION: A Resolution appointing Dawn Shanahan, Esq. as a Municipal Court Judge for the Township of Edison.

WHEREAS, Dawn Shanahan, Esq. presently serves as an Acting Municipal Court Judge for the Township of Edison; and

WHEREAS, Mayor Ricigliano by letter of January 4, 2013 has appointed Dawn Shanahan, Esq. as a Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

WHEREAS, the Township Council wishes to consent to this appointment.

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

1. Dawn Shanahan, Esq. is hereby appointed as a Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

This item was pulled from the agenda.

ORAL PETITIONS AND REMARKS

Jane Tousman, 14 Butler Road, said she put in an OPRA request wanting to know what accounts are in what bank.

Ms. Saponaro explained this.

Irene Wall, 205 Fleet Avenue, said she has lived here for 43 years and is disappointed with the Visco site decision.

Walt Shneer, Park Way, said he is again requesting a sign for "NO TRUCKS" in his area as recently a truck hit a power line.

Mr. Roderman said there is a sign posted at Woodbridge Ave. and he will speak to Police Chief Bryan about signs along Meadow Road, Lakeview Blvd. and Park Way.

Councilmember Mascola said there is a sign before Executive Drive to use the Executive Drive Bridge so they won't be on Meadow Road. He asked if we can issue tickets.

Mr. Roderman said those signs were provided by Heller Park.

Charles Tomaro, Waverly Drive, asked residents to mark their calendars for February 21, 2013 as there will be a ground breaking ceremony on Woodbridge Avenue for the Gurley Avenue traffic light. He said he also received a complaint about a commercial truck being parked on Loring Avenue.

Ms. Ruane said she will have Mr. Elliot look into it.

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

Having no further business to discuss, on a motion made by Councilmember Lombardi, seconded by Councilmember Karabinchak, the meeting was adjourned at 8:38 p.m.

Robert Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk

