

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, January 27, 2010
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 10, 2009, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Regular Meeting of November 12, 2009
 - b. Regular Meeting of December 9, 2009
 - c. ReOrganization Meeting of January 1, 2010
 - d. Special Meeting of January 5, 2010
 - e. Closed Session Meeting of January 11, 2010
5. **COUNCIL PRESIDENT'S REMARKS**
6. **RESOLUTIONS OF RECOGNITION:**
R.038-012010 Eagle Scout James Michael Gentner
7. **ADMINISTRATIVE AGENDA:
FROM MAYOR ANTONIA RICIGLIANO:**
 - a. Appointment of Jeff Roderman as a Class II member of the Planning Board
8. **PUBLIC COMMENT ON THE RESOLUTIONS**
9. **PROPOSED RESOLUTIONS**
Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

- R.039-012010 Resolution approving disbursements for the period ending January 21, 2010.
- R.040-012010 Resolution authorizing a contract for a Housing Rehabilitation Inspector/Cost Estimator for the Neighborhood Housing Rehabilitation Program and Neighborhood Preservation Program to Rehabco, Inc.
- R.041-012010 Resolution authorizing award of a portion of Contract No. 09-04-24, Recreation Equipment and Games to Flaghouse, Inc., in an amount not to exceed \$1,000.00.
- R.042-012010 Resolution authorizing award of a portion of Contract No. 09-04-24, Recreation Equipment and Games to Metuchen Center, Inc., in an amount not to exceed \$25,000.00.
- R.043-012010 Resolution authorizing award of a portion of Contract No. 09-04-24, Recreation Equipment and Games to S&S Worldwide, Inc., in an amount not to exceed \$6,000.00.
- R.044-012010 Resolution authorizing award of a portion of Contract No. 09-04-24, Recreation Equipment and Games to Sport Supply Group, Inc., in an amount not to exceed \$6,000.00.
- R.045-012010 Resolution authorizing award of contract for Software Maintenance for the Edmunds System for 2010 to Edmunds and Associates, Inc., in an amount not to exceed \$44,060.00.

- R.046-012010 Resolution authorizing award of contract for maintenance for Power DMS Internet Based Training Software to Innovative Data Solutions, in an amount not to exceed \$5,200.00.
- R.047-012010 Resolution authorizing award of emergency contract for repair of a gravity line on Albert Street to Hutton Construction, LLC, in an amount not to exceed \$34,048.53.
- R.048-012010 Resolution authorizing award of bid for Contract No. 09-06-28, Bus Repair Services to Air Brake & Equipment, in an amount not to exceed \$20,000.00.
- R.049-012010 Resolution authorizing refund in the amount of \$124,325.36 for redemption of tax sale certificates.
- R.050-012010 Resolution authorizing refund of tax overpayments, totaling \$1,360.91.
- R.051-012010 Resolution authorizing contract for the use of NJ Convention and Exposition Center for Family Day 2010, in an amount not to exceed \$4,126.00.
- R.052-012010 Resolution authorizing release of cash and performance bond for Morris Realty Associates, LLC, Gourmet Lane, Application #P21-02/03.
- R.053-012010 Resolution authorizing refund of engineering inspection fee to Morris Realty Associates, LLC, Gourmet Lane, Application #P21-02/03.
- R.054-012010 Resolution authorizing refund of engineering inspection fee to BP Amoco Oil, Route 1 South and Plainfield Avenue, Application #Z179-93/94.
- R.055-012010 Resolution authorizing refund of engineering inspection fee to BP Amoco Corporation, Route 1 South and Plainfield Avenue, Application #Z8-00/01.
- R.056-012010 Resolution authorizing release of cash and performance bond for BP Amoco Corporation, Route 1 South and Plainfield Avenue, Application #Z8-00/01.
- R.057-012010 Resolution appointing Devendra Dave as a Member of the Zoning Board of Adjustment, term to expire December 31, 2013.
- R.058-012010 Resolution appointing Bhavini Tara Shah as a Member of the Zoning Board of Adjustment, term to expire December 31, 2013.
- R.059-012010 Resolution re-appointing Salvatore Pizzi as a First Alternate Member of the Zoning Board of Adjustment, term to expire December 31, 2011.

10. **COMMUNICATIONS:**

- a. Electronic Mail Message from Larry Yu regarding flooding on Stephenville Parkway – receive
- b. Letter from Robert Spiegel regarding the Dismal Swamp Preservation Commission – receive

11. **ORAL PETITIONS AND REMARKS**

12. **ADJOURNMENT**

RESOLUTION R.039-012010

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JANUARY 21, 2010

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through January 21, 2010

FUND	AMOUNT
Current	\$15,990,399.11
Dog (Animal Control)	\$1,438.40
Sewer Utility	\$156,910.22
Capital	\$81,401.85
CDBG	\$15,837.58
Trust	\$169,240.44
Grant Funds	\$138,712.28
Sanitation Fund	\$325,828.23
Payroll Deductions	\$766,114.34
Park Improvement	\$38,100.37
Developer's Escrow	\$18,044.96
Cash Performance	\$0.00
Federal Forfeited	\$0.00
Public Assistance	\$0.00
Law Enforcement	\$0.00
Affordable Housing	\$985.81
Tree Planting	\$0.00
Water Operation	\$0.00
TOTAL	\$17,703,013.59

/s/ Mark E. Acker
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 R.040-012010

WHEREAS, the Township of Edison is desirous of retaining the services of a Housing Rehabilitation Inspector/Cost Estimator for the Neighborhood Housing Rehabilitation Program (NHRP) and Neighborhood Preservation Program (NPP), and

WHEREAS, request for Proposals were advertised on the Township of Edison website under the "Fair and Open" process; and

WHEREAS, three (3) sealed proposals were received on Tuesday, November 24, 2009; and,

WHEREAS, after review of said proposals, it has been recommended by the Neighborhood Preservation Program Coordinator that the contract be awarded to Rehabco Inc. at the rates set forth in the Proposal.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a professional service contract be awarded to Rehabco, Inc., 470 Mantoloking Road, Brick, NJ 08723, in accordance with their proposal.

BE IT FURTHER RESOLVED that 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.041-012010

WHEREAS, bids were received for Contract No. 09-04-24, Recreation Equipment and Games;
and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to Flaghouse, Inc., 601 Flaghouse Drive, Hasbrouck Heights, NJ 07604;
and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Flaghouse, Inc. in an amount not to exceed \$1,000.00.

RESOLUTION R.042-012010

WHEREAS, bids were received for Contract No. 09-04-24, Recreation Equipment and Games; and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to Metuchen Center, Inc., 429 Joyce Kilmer Avenue, New Brunswick, NJ 08901; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Metuchen Center, Inc. in an amount not to exceed \$25,000.00.

RESOLUTION R.043-012010

WHEREAS, bids were received for Contract No. 09-04-24, Recreation Equipment and Games;
and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to S & S Worldwide, Inc., 75 Mill Street, Colchester, CT 06415; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with S & S Worldwide, Inc. in an amount not to exceed \$6,000.00.

RESOLUTION R.044-012010

WHEREAS, bids were received for Contract No. 09-04-24, Recreation Equipment and Games; and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that a portion of this contract be awarded to Sport Supply Group, Inc., dba Passon's Sports, PO BOX 49, Jenkintown, PA 19046; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Sport Supply Group, Inc., dba Passon's Sports in an amount not to exceed \$6,000.00.

RESOLUTION R.045-012010

WHEREAS, The Township of Edison is in need of Software Maintenance for the Edmonds System for 2010; and

WHEREAS, services such as maintenance and upgrading of hardware and software by the proprietary licensor may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd), and

WHEREAS, funds for this contract in an amount not to exceed \$44,060.00 are available in account #0-01-20-0140-000-210.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract in the form of a purchase order with Edmonds and Associates, Inc., 301A Tilton Road, Northfield, NJ 08825.

RESOLUTION R.046-012010

WHEREAS, The Township of Edison Division of Police is in need of Maintenance for Power DMS Internet Based Training Software; and

WHEREAS, services such as maintenance and upgrading of hardware and software by the proprietary licensor may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd), and

WHEREAS, funds for this contract in an amount not to exceed \$5,200.00 are available in account #0-01-25-0250-000-216.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract in the form of a purchase order with Innovative Data Solutions, PO Box 1212, Brooksville, FL 34605-1212.

RESOLUTION R.047-012010

WHEREAS, on December 9, 2009 an emergent condition arose when 2 backups were reported on Albert Street. It was discovered that a 10" gravity line was blocked which required an emergency by pass to maintain services to the residents in that area; and

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

WHEREAS, the Director of Public Works has certified that the line was blocked and an emergency by pass was needed constituting an emergency affecting the public health, safety and welfare which did require the immediate performance of services; and

WHEREAS, the Purchasing Agent satisfied the provisions of N.J.S.A. 40A:11-6a and awarded emergency contract's in the form of Purchase Order's to the following vendors in the amount of \$34,048.53 to provide the necessary emergency repairs

1. Hutton Construction, LLC, 41 Village Park Rd., Cedar Grove, NJ 07009 in an amount not to exceed \$18,713.03. (PO10-03791)
2. Godwin Pumps of America, Floodgate Rd., Bridgeport, NJ 08014 in an amount not to exceed \$9,953.00. (PO 10-03792)
3. National Water Main Cleaning, 875 Summer Ave., Newark, NJ 07104 in an amount not to exceed \$2,782.50. (PO 10-03793)
4. Servpro of Edison, 1115 Inman Ave., Edison, NJ 08820 in an amount not to exceed \$2,600.00. (PO 10-03794).

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the award of emergency contracts in the form of Purchase Orders with the above vendors. in the amount of \$34,048.53 in accordance with NJSA 40A:11-6 for the repairs.

RESOLUTION R.048-012010

WHEREAS, bids were received for Contract No. 09-06-28, BUS REPAIR SERVICES; and

WHEREAS, after review of said bids it has been recommended by the Purchasing Agent that this contract be awarded to Air Brake & Equipment, 225 Route 22 West, Hillside, NJ 07205; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Air Brake & Equipment in an amount not to exceed \$20,000.00.

RESOLUTION R.049-012010

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 \$124,325.36.

RESOLUTION R.050-012010

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 \$1360.91 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.

RESOLUTION R.051-012010

WHEREAS, the Township of Edison is desirous of utilizing the NJ Convention and Exposition Center for Family Day 2010 to be celebrated on Sunday, May 16, 2010, and

WHEREAS, NJ Convention & Exposition Center inc., 97 Sunfield Ave., Raritan Center, Edison, NJ 08837 has agreed to rent their facility for Family Day for a fee NOT TO EXCEED \$4,126.00, and

WHEREAS, funds for this contract in the amount of \$4,126.00 are available in Account T-01-55-0279-000-000 as certified by Chief Financial Officer.

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

The Mayor and Township Clerk are hereby authorized to execute a contract with **NJ Convention and Exposition Center Inc.**, 97 Sunfield Ave., Raritan Center, Edison, NJ 08837 in an amount NOT TO EXCEED \$4,126.00, subject to agreement and approval of the attached lease by the Director of Law.

RESOLUTION R.052-012010

WHEREAS, the Township Engineer advises that an inspection has been made of Morris Realty Associates located on Gourmet Lane in Block #199-A Lot #32-C-3, Application #P21-02/03 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, the Certificate of Occupancy is dated November 2, 2006, since the project has extended beyond the (2) two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, a Cash Performance Bond Check# 00212329 was posted on July 21, 2004 by Morris Edison Construction Co., LLC in the amount of \$223,808.69 on deposit in Account #7760013219; and

WHEREAS, a Cash Performance Bond Reduction was posted on September 24, 2007, Resolution #495-102007 reducing the Cash Performance Bond to \$67,142.60; and

WHEREAS, a Performance Bond #KO6819114 was posted on July 21, 2004 by Morris Edison Construction Co., LLC of Westchester Fire Insurance Company in the amount of \$2,014,278.25; and

WHEREAS, a Performance Bond Reduction was posted on September 24, 2007, Resolution #495-102007 reducing the Performance Bond to \$604,283.47; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction in the amount of \$67,142.60, principal being Morris Edison Construction Co., LLC, having offices at 350 Veterans Blvd., Rutherford, N.J. 07070 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction in the amount of \$604,283.47; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$604,283.47, to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$67,142.60, plus accrued interest on deposit in account #7760013219 to the applicant.

RESOLUTION R.053-012010

WHEREAS, the Township Engineer advises that a final inspection was done of Morris Realty, located at Gourmet Lane in Block: 199-A, Lot: 32-C-3 and Application #P21-02/03; and

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

WHEREAS, on July 21, 2004, Morris Edison Construction Co., LLC., posted a check #00212330 in the amount of \$93,253.62, on deposit with the Township of Edison in account #7200024989, for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$10,709.09; and

WHEREAS, it is in now in order that the sum of \$82,544.53, which represents the amount due and owing the applicant, be returned to Morris Edison Construction Co., LLC.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$82,544.53, plus accrued interest be refunded to Morris Edison Construction Co., LLC having offices at 350 Veterans Blvd., Rutherford, N.J. 07070.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$82,544.53, plus accrued interest in account #7200024989 to the applicant.

RESOLUTION R.054-012010

WHEREAS, the Township Engineer advises that a final inspection was done of BP Amoco, located at 431 Route 1 South in Block: 239-A, Lot: 1-G and Application #Z179-93-94; and

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

WHEREAS, **on June 9, 1995**, BP Products North America Inc., posted fees in the amount of \$2,886.81, on deposit with the Township of Edison in account #7200024515, for engineering fees; and

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

WHEREAS, it is in now in order that the sum of \$2,886.81, which represents the amount due and owing the applicant, be returned to BP Products North America Inc.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,886.81, be refunded to BP Products North America Inc., having offices at 28100 Torch Parkway, MC412E, Warrenville, Illinois 60555.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$2,886.81, in account #7200024515 to the applicant.

RESOLUTION R.055-012010

WHEREAS, the Township Engineer advises that a final inspection was done of BP Amoco, located at Rt. 1 South and Plainfield Avenue in Block: 239-A, Lot: 1-G and Application #Z8-00/01; and

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

WHEREAS, on **August 24, 2001**, BP Products North America Inc., posted inspection fees on deposit with the Township of Edison in account #7200024772, for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$663.45; and

WHEREAS, it is in now in order that the sum of \$5,384.21, which represents the amount due and owing the applicant, be returned to BP Products North America Inc.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$5,384.21, plus accrued interest be refunded to BP Products North America Inc. having offices at 28100 Torch Parkway, MC412E, Warrenville, Illinois 60555.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$5,384.21, plus accrued interest in account #7200024772 to the applicant.

RESOLUTION R.056-012010

WHEREAS, the Township Engineer advises that an inspection has been made of BP Amoco Application #Z8-00/01 located in Block : 239-A, Lot:1-G, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Certificate of Occupancy date is March 15, 2002, since this project has extended beyond the two-year maintenance bond period from project completion there will be no maintenance guarantee required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond 102172911539 of Travelers Casualty and Surety Company of America in the amount of \$115,497.90 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond, Check #03000639681 in the amount of \$12,833.10, on deposit in account #7200025301 with the Township of Edison, principal being BP Products North America Inc., having offices at 28100 Torch Parkway, MC412E, Warrenville, Illinois 60555 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$115,497.90, to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$12,833.10, on deposit in account #7200025301 to the applicant.

RESOLUTION R.057-012010

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Mr. Devendra Dave, 807 Merrywood Drive, Edison, New Jersey 08817 be and he is hereby appointed as a member of the Zoning Board of Adjustment, said term to expire December 31, 2013.

RESOLUTION R.058-012010

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

WHEREAS, the Municipal Council wishes to appoint Bhavini Tara Shah as a member of the Zoning Board of Adjustment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Ms. Bhavini Tara Shah, 1193 Inman Avenue, Edison, New Jersey 08820 be and he is hereby appointed as a member of the Zoning Board of Adjustment, said term to expire December 31, 2013.

RESOLUTION R.059-012010

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

WHEREAS, the Municipal Council wishes to re-appoint Salvatore Pizzi as a First Alternate member of the Zoning Board of Adjustment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Mr. Salvatore Pizzi, 35 Trenton Avenue, Edison, New Jersey 08817 be and he is hereby re-appointed as a First Alternate member of the Zoning Board of Adjustment, said term to expire December 31, 2011.