

**AGENDA  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
Monday, February 8, 2010  
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 10, 2009, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
  - a. Combined Meeting of December 21, 2009
  - b. Worksession Meeting of January 11, 2010
  - c. Regular Meeting of January 13, 2010
  - d. Closed Session Meeting of January 25, 2010
6. **ADMINISTRATIVE AGENDA:  
FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Appointment of William Araujo as a Class IV member of the Planning Board
  - b. Appointment of Virginia M. Comito as a member of the Library Board of Trustees.
  - c. Appointment of Lisa Krauze as a member of the Library Board of Trustees.
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Award of bid for Contract No. 09-01-29R, Uniforms and Equipment – Fire Department and EMT
  - b. Rejection of bids for Contract No. 09-09-18, Elevator Renovations at the Municipal Building
  - c. Refund of Light Transit tickets
  - d. Resolution authorizing Safe and Secure Communities Program Grant
  - e. Resolution authorizing Recovery Stop Violence Against Women Act Grant.
10. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through February 4, 2010
  - b. Resolution authorizing tax refunds lower than \$5.00.
  - c. Resolution authorizing change fund for the Division of Tax Collection
  - d. Resolution authorizing direct mailing of tax sale notices.
  - e. Resolution authorizing refund in the amount of \$42,942.24 for redemption of tax sale certificates.
  - f. Resolution authorizing refund of sewer use overpayments, totaling \$478.93.
  - g. Resolution authorizing Transfer of Funds
11. **FROM THE DEPARTMENT OF HEALTH:**
  - a. Resolution authorizing grant for an intern

12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Engineering Inspection Fee Refund for Roy and Patricia Rittman, 285 Central Avenue
  - b. Release of performance bonds for Roy and Patricia Rittman, 285 Central Avenue
  - c. Release of performance bonds for Andrew Walec, custom Pro Investments, 10 Mt. Pleasant Avenue, Application #P5088
  - d.. Tree Maintenance Bond Refund to GMM Associates, Inc., 734 New Dover Road, Permit #06-35
  - e. Ordinance authorizing Traffic Control Signal at Raritan Center Parkway and Mayfield Avenue/Campus Drive
  - f. Tree Maintenance Bond refund for Andrew Walec and John Kula, 10 Mt. Pleasant Avenue, Permit #06-80.
  - g. Bond Reduction of Phase I – MCC Realty Investment Company (Festival Plaza), Route 27 and South and Division Street, Application #P14-08/09
  - h. Award of bid for Contract No. 09-25-04, Pedestrian Safety Improvements on Grove Avenue
  - i. Tree Maintenance Bond refund for Tahsinulah & jaruna Jalili, 347 Plainfield Avenue, Permit #06-79
  - j. Tree Maintenance Bond Refund for Mohammad I. Warraich, 13 Woodacres Drive, Permit #07-157
  - k. Tree Maintenance Bond refund for Andrew Walec, 10 Ramsey Road, Permit #06-100

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

14. **COMMUNICATIONS:**

- a. Letter from John Pelak regarding refund of taxes – receive and refer to Administration
- b. Electronic Mail Message from Lois Wolke regarding use of Township vehicles - receive

15. **DISCUSSION ITEMS:**

**Council President Tomaro**

- a. Resolution of Recognition – Eagle Scout Michael Syslo
- b. Resolution of Recognition – Boy Scouts of America
- c. Ordinance regarding Administrative Code
- d. Soccer Fields

**Councilmember Diehl**

None

**Councilmember Karabinchak**

None

**Councilmember Lankey**

None

**Councilmember Mascola**

None

**Councilmember Perilstein**

None

**Councilmember Prasad**

None

16. **CLOSED SESSION:**

- a. Tax Appeal Settlement – Summit Associates and New Carsun Hills LLP

17. **ADJOURNMENT**

**RESOLUTION**

**WHEREAS**, bids were received for Contract No. 09-01-29R, UNIFORMS AND EQUIPMENT – FIRE DEPARTMENT AND EMT; and

**WHEREAS**, after review of said bids it has been recommended by the Business Administrator that a portion of this contract be awarded to Absolute Fire Protection, 2800 Hamilton Blvd., South Plainfield, NJ 07080; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract with Absolute Fire Protection in an amount not to exceed \$72,150.00.

**RESOLUTION**

**WHEREAS**, bids were received for Contract No. 09-01-29R, UNIFORMS AND EQUIPMENT – FIRE DEPARTMENT AND EMT; and

**WHEREAS**, after review of said bids it has been recommended by the Business Administrator that a portion of this contract be awarded to Continental Fire & Safety, Inc. 180 Volusia Avenue, Trenton, NJ 08610; 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 Continental Fire & Safety, Inc. in an amount not to exceed \$8,400.00.

**RESOLUTION**

**WHEREAS**, bids were received for Contract No. 09-01-29R, UNIFORMS AND EQUIPMENT – FIRE DEPARTMENT AND EMT; and

**WHEREAS**, after review of said bids it has been recommended by the Business Administrator that a portion of this contract be awarded to First Due Emergency Supply Company, 444 Hurffville Crosskeys Road, Sewell, NJ 08080; 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 First Due Emergency Supply Company in an amount not to exceed \$35,000.00.

## RESOLUTION

**WHEREAS**, the Township of Edison advertised for bids, by public notice published in the Home News on September 22, 2009, for Contract No. 09-09-18, Elevator Renovations at the Municipal Building; and

**WHEREAS**, on October 27, 2009, bids were received for the above project and the lowest responsive, responsible bidder was Clifton Elevator Co., Inc. (CESCO), 4401 South Clinton Avenue, South Plainfield, NJ 07080 in the amount of \$532,091.00; and

**WHEREAS**, the Township's cost estimate was between \$325,000-\$350,000.00; and

**WHEREAS**, Section 40A:11-13.2a & b of the Local Public Contracts Law allows for the rejection of bids when the lowest bid substantially exceeds the cost estimate and the unit's appropriation for the goods and services; and

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

1. The bids for Contract # 09-09-18 entitled "ELEVATOR RENOVATIONS" is hereby rejected pursuant to N.J.S.A 40A:11-13.2a & b.
2. The Township Purchasing Division is hereby authorized to re-advertise and re-bid said project.

**AUTHORIZING REFUND OF \$60.00 TO AN EDISON LIGHT TRANSIT CUSTOMER WHO NO LONGER WISHES TO USE THE SERVICES AND HAS RETURNED THE SUBJECT TRIP TICKETS.**

**WHEREAS**, Rimma Zaleznik, 3503 Hana Road, Edison, N.J. 08817 purchased two trip tickets at a cost of \$30.00 each identified as trip tickets #11843 and #11844 for the Edison Light Transit services provided by the Township of Edison; and

**WHEREAS**, she has determined that she would rather turn in these tickets and request a refund of her money than use the services; and

**WHEREAS**, refunds of money once received by the Township requires approval by the Township Council; and

**WHEREAS**, the ticket books have been returned to the Township

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT**

The proper Township Officials are hereby authorized to refund \$60.00 to Rimma Zaleznik in this matter and to perform any and all appropriate actions necessary to accomplish this refund and to adjust the records of the Township accordingly.

**AUTHORIZING APPLICATION AND APPROVING PARTICIPATION WITH  
THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES  
PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE,  
DEPARTMENT OF LAW AND PUBLIC SAFETY.**

**WHEREAS**, the Township of Edison wishes to apply for a project under the Safe and Secure Communities Program, and

**WHEREAS**, the Township Council has reviewed the application and approved said request, and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Township of Edison, for the purpose(s) described in this application;

**NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE  
TOWNSHIP OF EDISON THAT:**

1. As a matter of public policy the Township of Edison wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of the State of New Jersey will receive funds on behalf of the Township.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the application for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.



**TOWNSHIP OF EDISON  
MUNICIPAL RESOLUTION**

**WHEREAS**, the Edison Police Department Domestic Violence Unit intends to identify and solicit grant funds in order to purchase equipment required to enhance and improve the provision of local domestic violence services; and

**WHEREAS**, the RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) Grant Program, as administered by the State of New Jersey, NJ Department of Law & Public Safety, NJ Division of Criminal Justice, provides an opportunity to obtain grant funding for such a purpose, under the American Recovery and Reinvestment Act (ARRA), through the U.S. Department of Justice Office on Violence Against Women; and

**WHEREAS**, the VAWA grant assists state, county and municipal agencies to meet the needs of crime victims and to assist public and nonprofit agencies in providing and/or enhancing services to victims of crime; and

**WHEREAS**, the regulations and guidelines of the 2010 NJDL&S NJDCJ RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) Grant Program requires that the lead applicant be a certified 501c3, not-for-profit, tax-exempt organization, possessing a DUNS Number and federal CCR registration; and

**WHEREAS**, Info-Line of Middlesex County (a certified, 501c3, not-for-profit organization, duly registered with the State of New Jersey, with a requisite DUNS Number and federal CCR registration) has an established relationship with the Township of Edison and has agreed to partner with the Edison Police Department Domestic Violence Unit for this resource development initiative as the required not-for-profit lead applicant; and

**WHEREAS**, Info-Line of Middlesex County will develop and execute a Memorandum of Understanding with the Edison Police Department Domestic Violence Unit, in order to develop and submit a viable application to 2010 NJDL&S NJDCJ ARRA RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) Grant Program; and

**WHEREAS**, the award of grant funds from the 2010 NJDL&S NJDCJ RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) Grant Program will enable the Edison Police Department Domestic Violence Unit to purchase needed equipment to enhance and further its provision of effective services to local victims of domestic violence; and

**WHEREAS**, in partnership with the Edison Police Department Domestic Violence Unit, Info-Line of Middlesex County, will develop and submit a grant application to the 2010 NJDL&S NJDCJ RECOVERY STOP Violence Against Women Act (RECOVERY VAWA) for a maximum of \$45,000.00, to purchase the aforesaid equipment;

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and execution of a Memorandum of Understanding between the Edison Police Department Domestic Violence Unit and Info-Line of Middlesex County, in order for that organization to develop and submit a grant application to the 2010 NJDL&S NJDCJ RECOVERY STOP Violence Against Women Act (RECOVERY VAWA), in partnership with the Edison Police Department, at a regularly-scheduled meeting on February 10, 2010.

## **RESOLUTION**

WHEREAS, N.J.S.A. 40A:5-17.1 provides that a municipality may adopt a resolution authorizing the processing of any property tax refund of less than \$5.00; and

WHEREAS, the processing of said tax refunds are recommended by the Tax Collector's office in their continuing effort to maintain the highest level of fiscal responsibility.

NOW, THEREFORE BI IT RESOLVED, by the Municipal Council of the Township of Edison, that the Tax Collector's office be and hereby is authorized to process, without any further action on the part of the governing body, any tax refund less than Five dollars for calendar year 2010.

**TOWNSHIP OF EDISON**  
**MIDDLESEX COUNTY, NEW JERSEY**  
**RESOLUTION**

**FORM OF RESOLUTION AUTHORIZING ESTABLISHMENT  
OF A CHANGE FUND FOR THE DIVISION of TAX COLLECTION**

**WHEREAS**, the Division of Tax Collection within the Department of Finance is responsible for collection of Property Taxes and Sewer User Charges; and

**WHEREAS**, a necessary part of collecting said charges is the ability to make the proper change resulting from the transactions; and

**WHEREAS**, six separate cash drawers are maintained to provide for individual accountability, requiring six separate sets of change to be funded.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey that a Change Fund in the amount of \$750.00 is hereby established for the Division of Tax Collection

**BE IT FURTHER RESOLVED** that the Collector of Taxes be responsible for the maintenance of this Change Fund.

**WHEREAS**, it is projected that as of November 11, 2010, over 25% of properties located within the Township of Edison will have unpaid municipal charges (i.e. real estate taxes and/or sewer service charges); and

**WHEREAS**, N.J.S.A. 54:5-19 requires that any unpaid taxes and/or other municipal charges that remain in arrears on the 11<sup>th</sup> day of the eleventh month be sold at a tax sale; and

**WHEREAS**, the annual accelerated tax sale for the Township of Edison is scheduled to be held in December 2010; and

**WHEREAS**, the tax sale process is lengthy and costly and places a large financial burden on the general tax base; and

**WHEREAS**, it is the desire of the Township of Edison to hold taxpayers who cause the tax sale procedure to be held accountable for the fees associated with said sale; and

**WHEREAS**, N.J.S.A. 54:5-26 provides for direct mailing of the tax sale notices in-lieu of up to two (2) legal advertisements, the costs of which shall be added to the cost of the sale, not to exceed \$25.00 for each set of notices; and

**WHEREAS**, it is the recommendation of the Tax Collector's office that an appropriate direct mail cost for the 2010 tax sale would be Twenty-Five (\$25.00); and

**WHEREAS**, N.J.S.A. 54:5-38 provides for fees in connection with holding a tax sale, of two (2%) percent of the total of municipal charges, including all interest and penalties, to the date of sale. The two (2%) percent shall not be less than Fifteen (\$15.00) dollars nor more than One Hundred (\$100.00) dollars for each parcel sold; and

**WHEREAS**, N.J.S.A. 54:5-29 provides for payment prior to the tax sale to include all interest, costs and penalties;

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:5-26, the Tax Collector's office is hereby authorized to send two (2) direct mailings, in lieu of 2 advertisements, and collect a mailing fee of Twenty-Five dollars (\$25.00) for each notice mailed; and

**BE IT FURTHER RESOLVED**, that costs of preparation, administration and advertisement, prior to the sale are hereby determined to be two (2%) percent of the total municipal charges, including all penalties and interest, but not less than Fifteen (\$15.00) dollars and not more than One Hundred (\$100.00) for each parcel.

**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 \$42,942.24.

## RESOLUTION

Whereas, on various properties located within the Township of Edison, overpayments of sewer user fees 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 \$478.93 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 PROVIDING FOR THE TRANSFER OF FUNDING BETWEEN TY'09  
CURRENT APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, New Jersey Statutes 40A: 4-59 provides for transfers during the first three months of succeeding fiscal year; and

WHEREAS, it has been determined that certain existing TY'09 appropriation reserves are not sufficient to meet the needs for the various departments.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison that there be transferred from the following TY'09 appropriation reserves the sums as set forth after each appropriation respectively:

**CURRENT FUND**

**OTHER EXPENSES**

Central Purchases - Postage	\$3,000.00	
Central Purchases - Stores		\$3,000.00
TOTAL OTHER EXPENSES	<hr/> \$3,000.00	<hr/> \$3,000.00
<b>TOTAL TRANSFER</b>	<hr/> <b>\$3,000.00</b>	<hr/> <b>\$3,000.00</b> <hr/>

BE IT FURTHER RESOLVED, that the Director of Finance / CFO be and he is hereby authorized to make the necessary transfers between said current appropriations.

**EXPLANATION:** This resolution enables the Township of Edison to apply to the 2010 New Jersey Department of Community Affairs (NJDCA)/New Jersey Institute of Technology (NJIT) Housing & Community Development Scholars Program for an Intern for the Township of Edison Department of Health and Human Services.

**TOWNSHIP OF EDISON  
RESOLUTION**

**WHEREAS**, the Township of Edison Department of Health and Human Services desires to apply for and obtain an Intern from the 2010 NJDCA/NJIT Housing & Community Development Scholars Program; and

**WHEREAS**, the 2010 NJDCA/NJIT Housing & Community Development Scholars Program Intern will serve in the Township of Edison Department of Health and Human Services; and

**WHEREAS**, the 2010 NJDCA/NJIT Housing & Community Development Scholars Program will bear 70% of the costs for the Summer Intern, as well as pro-bono, project-based, technical support, with The Township of Edison Department of Health and Human Services providing a cash match of 30%; and

**WHEREAS**, the Township of Edison Department of Health and Human Services had successfully participated in the NJDCA/NJIT Housing & Community Development Scholars on two previous occasions (i.e.: 2008 & 2009); and

**WHEREAS**, the 2010 NJDCA/NJIT Housing & Community Development Scholars Program Summer Intern will possess education and training to enable them to support and participate in several Township of Edison Department of Health and Human Services projects and initiatives.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the development and submission of said grant application, as well as the acceptance and utilization of the 2010 NJDCA/NJIT Housing & Community Development Scholars Program Intern and related technical support services, at a regularly-scheduled, public meeting, on February 10, 2010.



**RESOLUTION**

WHEREAS, the Township Engineer advises that a final inspection was done of 285 Central Avenue, located in Block: 100, Lot: 16-C; and

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

WHEREAS, on October 3, 2006, Patricia M. & Roy J. Rittman., posted inspection fees in the amount of \$500.00 on deposit with the Township of Edison in account #7200025197; 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 \$157.59; and

WHEREAS, it is in now in order that the sum of \$342.41, which represents the amount due and owing the applicant, be returned to Patricia M. & Roy J. Rittman.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$342.41 be refunded to Patricia M. & Roy J. Rittman having offices at 285 Central Avenue, Edison, N.J. 08817.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$342.41 in account #7200025197 to the applicant.

**RESOLUTION**

WHEREAS, the Township Engineer advises that an inspection has been made of 285 Central Avenue Application #Single Family located in Block: 100, Lot:16-C, 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 September 20, 2007, since the project has extended beyond the 2-year maintenance bond period from project completion there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Check #665-07302 of Commerce Bank in the amount of \$2,980.80 on deposit in account #7760013288, with the Township of Edison, principal being Roy and Patricia Rittman, and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond, Check #665-07303 in the amount of \$331.20, on deposit in account #7760013288 with the Township of Edison, principal being Roy and Patricia Rittman, having offices at 285 Central Avenue, Edison, N.J. 08817 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$2,980.80, on deposit in account #7760013288 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 \$331.20, on deposit in account #7760013288 to the applicant.

**RESOLUTION**

WHEREAS, the Township Engineer advises that an inspection has been made of 10 Mt. Pleasant Avenue located in Block: 545-K, Lot: 7-13 and Application #P5088, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, additional Inspection Fees in the amount of \$500.00 was posted in Account #7760216729 which now has a zero balance.

WHEREAS, on December 2, 2009 a Maintenance Bond Check #52504 of Columbia Bank in the amount of \$1,450.00 was posted by Custom Pro Investments.; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Check #956084002 of Wachovia Bank in the amount of \$10,622.88 on deposit in account #7760013305, with the Township of Edison, principal being Construction Pros Corp., and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond, Check #956084003 in the amount of \$1,180.32, on deposit in account #7760013305 with the Township of Edison, principal being Construction Pros Corp., having offices at 6 Ramsey Road, Edison, N.J. 08820 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 \$10,622.88, on deposit in account #7760013305 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 \$1,180.32, on deposit in account #7760013305 to the applicant.

**RESOLUTION**

WHEREAS, GMM Associates, Inc. posted two checks for Tree Maintenance Bond, check #1120 in the amount of 315.00 and check #1122 in the amount of \$135.00 that equals a total of \$450.00 posted, principal being GMM Associates, Inc to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-35 located at 734 New Dover Road, Block: 495 and Lot: 90; and

WHEREAS, a Tree Maintenance Bond was posted on July 3, 2007 & July 6, 2007 in the amount of \$450.00, on deposit in account #7760237722; 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 of \$450.00 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 \$450.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$450.00, on deposit in Account #7760237722 to GMM Associates, Inc. having offices at 246 East Iselin Parkway., Iselin, N.J. 08830-1225.

**EXPLANATION:** this Ordinance authorizes the Township of Edison to establish a Traffic Control Signal at the intersection of Raritan Center Parkway and Mayfield Avenue / Campus Drive.

## **EDISON TOWNSHIP**

### **ORDINANCE**

**BE IT ORDAINED** by the Township Council, of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

**SECTION 1.** That the intersection of Raritan Center Parkway and Mayfield Avenue / Campus Drive shall be controlled by a Traffic Control Signal in accordance with the Traffic Signal Plan bearing the date of April 22, 2004, revised through January 14, 2005 and shown on the As-Built Plan dated April 20, 2006, and inspected on the date of April 20, 2006 by Lynn A. LaMunyon, P.E., NJ PE License No. 35746.

**SECTION 2.** That the Traffic Control Signal shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes and the New Jersey Administrative Code, AND SHALL BE OPERATED IN CONFORMANCE WITH THE DESIGNATED PLAN.

**SECTION 3.** That this ordinance shall take effect twenty (20) days after adoption and publication and approval by the Mayor in accordance with N.J.S.A. 40:69A:181(b) **and upon the approval of the Commissioner of the Department of Transportation.**

**SECTION 4.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5.** That if any clause, section or provision of this ordinance is declared invalid by a Court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portion hereof.

**RESOLUTION**

WHEREAS, Construction Pros Corp. posted a Tree Maintenance Bond check #1126 in the amount of \$1,035.00, principal being Construction Pros Corp. to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-80 located at 10 Mt. Pleasant Ave., Block #545-K and Lot #7-13; and

WHEREAS, a Tree Maintenance Bond was posted on November 30, 2006 in the amount of \$1,035.00, on deposit in account #7760237660; 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 of \$1,035.00 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 \$1,035.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,035.00, on deposit in Account #7760237660 to Construction Pros Corp., having offices at 6 Ramsey Road, Edison, N.J. 08820.

**RESOLUTION**

WHEREAS, Edison I, LLC posted a Cash Performance Bond in the amount of \$293,520.00 principal being Edison I, LLC., to guarantee the installation of improvements for the project known as MCC Realty Investment Co. (Festival Plaza) at Route 27 South & Division Street located in Block: 96 and Lots: 45 & 46 and designated Application #P14-08/09; and

WHEREAS, a Performance Guarantee Estimate was posted on September 29, 2009 in the amount of \$1,291,130.00. Since this project is being constructed in phases, this is a Bond Reduction for Phase I only for this project; and

WHEREAS, a Cash Performance Bond was posted on September 29, 2009 in the amount of \$154,935.60 and on January 10, 2010 in the amount of \$138,584.40 with a total amount of \$293,520.00 posted on deposit in account #7760013393; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a bond reduction is in order for Phase I only; and

WHEREAS, it is the recommendation of the Township Engineer that the Cash Performance Bond be reduced by 70% from \$210,240.00 for Phase I, to \$63,072.0, or 30% of the original amount to be held for Phase I only, leaving a balance of \$83,280.00 for Phase II, therefore refunding the amount of \$147,168.00 to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Cash Performance Bond hereinabove mentioned be reduced until such time as Final Acceptance is granted.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$147,168.00, plus accrued interest, on deposit in Account #7760013393 to Edison I, LLC having offices at 9595 Wilshire Blvd., Suite 214, Beverly Hills, Ca. 90212, with the sum of \$63,072.00 remaining on deposit for Phase I until such time as Final Acceptance is granted.

**EXPLANATION:** This resolution provides for the award of a construction contract in the amount of \$186,649.40 to Berto Construction, Inc. for Pedestrian Safety Improvements on Grove Avenue, for the Inman Grove Senior Citizens Residence, in accordance with the Township Engineer's plans and specifications.

**TOWNSHIP OF EDISON  
RESOLUTION**

**WHEREAS**, the Township of Edison publicly advertised for bids for contract number 09-25-04, Pedestrian Safety Improvements on Grove Avenue, for the Inman Grove Senior Citizens Residence, Township of Edison, Middlesex County, NJ; and

**WHEREAS**, sealed bids, six (6) in total, were received and opened for contract number 09-25-04, Pedestrian Safety Improvements on Grove Avenue, for the Inman Grove Senior Citizens Residence, Township of Edison, Middlesex County, NJ, on Wednesday, December 30, 2009 at 11:00 am; and

**WHEREAS**, Berto Construction, Inc., 625 Leesville Avenue, Rahway, NJ 07065 (phone # 732-396-0099) is the low bidder, with a total bid of \$186,649.40; and

**WHEREAS**, John A. Medina, P.E., Edison Township Engineer has reviewed the bids received and has recommended award of a contract to the low bidder, Berto Construction, Inc., 625 Leesville Avenue, Rahway, NJ 07065, at the total bid amount not to exceed \$186,649.40.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a construction contract (# 09-25-04) be awarded to Berto Construction, Inc., 625 Leesville Avenue, Rahway, NJ 07065 (phone # 732-396-0099) at the total bid amount not to exceed \$186,649.40 for contract number 09-25-04, Pedestrian Safety Improvements on Grove Avenue, for the Inman Grove Senior Citizens Residence, Township of Edison, Middlesex County, NJ.



**RESOLUTION**

WHEREAS, CPC Construction Pros Corp. posted a Tree Maintenance Bond check #8802 in the amount of \$900.00, principal being CPC Construction Pros Corp. to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-79 located at 347 Plainfield Ave., Block: 1012 and Lot: 4; and

WHEREAS, a Tree Maintenance Bond was posted on November 30,2006 in the amount of \$900.00, on deposit in account #7760237658; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that most of the trees have been planted and 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 of \$630.00 be refunded to the applicant, **leaving a balance of \$270.00 for the missing or dead trees to be transferred to the proper account; and**

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$630.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$630.00, on deposit in Account #7760237658 to CPC Construction Pros Corp. having offices at 6 Ramsey Road, Edison, N.J. 08820.

**RESOLUTION**

WHEREAS, Mohammad I. Warraich posted a Tree Maintenance Bond check #373 in the amount of \$1,260.00, principal being Mohammad I. Warraich to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-157 located at 13 Woodacres Drive, Block #548-B and Lot #108; and

WHEREAS, a Tree Maintenance Bond was posted on November 28, 2007 in the amount of \$1,260.00, on deposit in account #7760275037; 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 of \$1,260.00 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 \$1,260.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,260.00, on deposit in Account #7760275037 to Mohammad I. Warraich, having offices at 2070-20<sup>th</sup> Lane, Apt. 1G, Brooklyn, N.Y. 11214-6341.

**RESOLUTION**

WHEREAS, Construction Pros Corp. posted a Tree Maintenance Bond check #3653 in the amount of \$1,350.00, principal being Construction Pros Corp. to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-100 located at 10 Ramsey Road, Block #1003 and Lot #7; and

WHEREAS, a Tree Maintenance Bond was posted on January 25, 2007 in the amount of \$1,350.00, on deposit in account #7760237674; 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 of \$1,350.00 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 \$1,350.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,350.00, on deposit in Account #7760237674 to Construction Pros Corp., having offices at 6 Ramsey Road, Edison, N.J. 08820.