

**AGENDA**  
**MUNICIPAL COUNCIL**  
**WORKSESSION MEETING**  
**Monday, April 9, 2012**  
**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 January 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
  - a. Regular Meeting of March 14, 2012
  - b. Worksession Meeting of March 26, 2012
6. **CY 2012 MUNICIPAL BUDGET:**
  - a. Public Hearing (April 11<sup>th</sup>)
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Resolution supporting Assembly Bill A-2717
  - b. Resolution authorizing sale of surplus property
  - c. Award of RFP 12-01, Insurance Broker
10. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through April 5, 2012
  - b. Resolution authorizing refund in the amount of \$224,084.21 for redemption of tax sale certificates.
  - c. Resolution authorizing refund of tax overpayments, totaling \$4,455.61.
  - d. Resolution authorizing refund of sewer use overpayments, totaling \$903.45.
  - e. Temporary Emergency Appropriation
  - f. Transfer of Funds
11. **FROM THE DEPARTMENT OF LAW:**

- a. Developer's Agreement with Edison Holdings I, II and III, LLC
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Bond Reduction for Robert Kowitski, 38 & 40 Edgewood Road, Application #P5058.
  - b. Engineering Inspection Fee Refunds for Meadow Road and Gun Club, 2 Overbrook Avenue, Application #Z-4999.
  - c. Engineering Inspection Fee Refund for Panera Bread, 1551 Route 1 South.
  - d. Refund of Maintenance Bond for United Auto Group – Ferrari Maserati, Phase 1, 816 Route 1 North and Wasko Road, Application #P11-06/07
  - e. Final Acceptance of Contract No. 11-08-05R, Roof – Edison Memorial Tower Museum
  - f. Refund of Maintenance Bond for United Auto Group – Ferrari Maserati, Phase II, Wasko Road, Application #P11-06/07
  - g. Resolution concurring to the No Passing Zone on NJ Route 27
  - h. Award of quote for home improvements as part of the CDBG Program
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Award of bid for Contract No. 11-12-06, Fuel-Gasoline and Diesel
  - b. Award of bid for Contract No. 11-04-15, Pavement Milling/Tack Coating
14. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolutions authorizing refunds
  - b. Resolutions authorizing the purchase of trip tickets
  - c. Award of quote for a computer software program
15. **FROM THE CHIEF OF FIRE:**
- a. Volunteer Application
16. **FROM THE TOWNSHIP CLERK:**
- a. Person to Person Transfer of Liquor License #1205-33-023-005, Macaroni Grill
  - b. Award of contract for a Township Auditor
17. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
18. **COMMUNICATIONS:**  
None
19. **DISCUSSION ITEMS:**
- Council President Karabinchak**
- a. Tax Appeals

- b. Oak Tree and Woodland Intersection
- c. Edison Tower
- d. Digital Ticketing
- e. Capital Improvement Plan
- f. New Control Ordinances
- g. Green Technology (plastic bags)

**Councilmember Diehl**

None

**Councilmember Gomez**

None

**Councilmember Lankey**

None

**Councilmember Lombardi**

None

**Councilmember Mascola**

None

**Councilmember Prasad**

None

20. **CLOSED SESSION:**

None

21. **ADJOURNMENT**

**RESOLUTION**

**RESOLUTION SUPPORTING A-2717**

Extending the time period for municipalities to commit to expend collected development fees and payments-in-lieu of constructing affordable units

**WHEREAS**, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be “committed for expenditure, or risk forfeiture to the State;” and

**WHEREAS**, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for “committed” as well as a timetable for expenditures; and

**WHEREAS**, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

**WHEREAS**, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

**WHEREAS**, at the time of 2008 Act, COAH was prepared to adopt its “3<sup>rd</sup> round regulations” establishing municipal obligations under the “Fair Housing Act”; and

**WHEREAS**, COAH’s 3<sup>rd</sup> round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

**WHEREAS**, eight years of litigation over COAH’s methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

**WHEREAS**, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

**WHEREAS**, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

**WHEREAS**, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, State of New Jersey, urges our State Legislators to **support and approve A-2717**, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, Senator Barbara Buono, Assemblyman Peter J. Barnes, III, Assemblyman Patrick Diegnan, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

**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 (Vehicles and Equipment) 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](http://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](http://www.usgovbid.com).
2. The Mayor, or her designee, is hereby authorized to execute the attached contract with US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 as described herein.
3. The terms and conditions of the sale are available at [www.usgovbid.com](http://www.usgovbid.com).
4. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

## 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 \$224,084.21.

## RESOLUTION

Whereas, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

Whereas, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$4,455.61 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

Whereas, on various properties located within the Township of Edison, overpayments of sewer use fees have been made due to erroneous or duplicate payments; and

Whereas, applications have been made to the Tax Collector for refund of said overpayments, totaling \$903.45 and

Whereas, the attached listing is a detail of the requested refunds.

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



**EXPLANATION:** This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with Edison Holdings I, LLC, Edison Holdings II, LLC and Edison Holdings III, LLC in connection with the development of Phase II for the property identified as Block 398, Lot 18 and portions of Lots 26 and 27, on the Edison Township tax map (the "Property").

## **EDISON TOWNSHIP**

### **RESOLUTION**

**WHEREAS**, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), for preliminary major site plan approval, with waiver and bulk variance relief approval to construct a three-story 570,100 square foot distribution warehouse/office building, along with approximately 193 parking spaces, 108 tractor-trailer loading docks and 124 tractor-trailer parking spaces, and related improvements on the Property (the "Project"); and

**WHEREAS**, the Board granted amended preliminary and final site plan and bulk variance approval and memorialized the same by Resolution adopted on November 19, 2007; and

**WHEREAS**, the Resolution and the code of the Township of Edison require the developer to enter into a Developer's Agreement with the Township of Edison in connection with the project; and

**WHEREAS**, the Developer has obtained administrative approval from the Edison Township planning and engineering staff for a phasing plan, which creates two phases of development; and

**WHEREAS**, Phase I consists of the following work: implementation of soil erosion and sediment control measures; dynamic compaction; earth work/grading, installation of stormwater management facilities, including the detention basin; construction of the deep well methane gas extraction system; implementation of site controls and geotechnical work, including installation of monitoring wells; and repair of the landfill cap as necessary ("Phase I"); and

**WHEREAS**, the Township and the Developer have previously entered into a Developer's Agreement for Phase I; and

**WHEREAS**, Phase II consists of all remaining site improvements, including the building and all parking and loading areas ("Phase II"); and

**WHEREAS**, the Developer's Agreement for Phase II attached hereto has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer;

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

1. The Mayor and Township Clerk are hereby authorized to execute the Developer's Agreement for Phase II with the Developer in the form annexed hereto.

2. The Township Clerk is hereby authorized to forward the original and certified copies of the Developer's Agreement for Phase I to the Township Attorney for recording with the Clerk of the County of Middlesex.

3. The Township Clerk is also directed to forward a copy of this Resolution, once adopted, to the Township Attorney and Township Engineer for their records.

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, a Performance Bond was posted on April 7, 2008, check #0844049 by Edgewood Estates Builders Inc., in the amount of \$20,143.00, on deposit in Account #7760013334 to guarantee the installation of improvements for the project known and identified as Robert Kowitski Subdivision, located at 38 Edgewood Road, in Block 557-B and Lot 43, and designated as Application #P5058; 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 50% bond reduction is in order; and

**WHEREAS**, it is the recommendation of the Township Engineer that the Performance Bond be reduced by 50% from \$20,143.00 to \$10,071.50, or 50% of the original amount; therefore refunding the amount of \$10,071.50, plus accrued interest, if applicable; and

**NOW, THEREFORE, BE IT RESOLVED** BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Performance Bond hereinabove mentioned be reduced to \$10,071.50, by virtue of a substitute bond or endorsement to the Performance Bond presently in place, 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 \$10,071.50, plus accrued interest, if applicable on deposit in Account #7760013334 to Edgewood Estates Builders Inc. having a current address of 107 Cayuga Road, Barnegat, N.J. 08005 with the sum of \$10,071.50 remaining on deposit until such time as Final Acceptance is granted.

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, the Township Engineer advises that a final inspection was done of Meadow Rod & Gun Club located at 2 Overbrook Avenue, Application #Z-4999, located in Block 375-F, Lots 1-4 & 34 & 38; and

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

**WHEREAS**, on May 19, 2003, Bozco L.L.C. posted inspection fees in the amount of \$90.00 on deposit with the Township of Edison in account #7200024887 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 \$59.07; and

**WHEREAS**, it is in now in order that the sum of \$30.93, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Bozco L.L.C., having offices at 11 Hector Avenue, Edison, N.J. 08817; and

**NOW THEREFORE, BE IT RESOLVED** BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$30.93, plus accrued interest, if applicable, be refunded to the applicant; and

**BE IT FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund said sum of \$30.93, plus accrued interest, if applicable, in account #7200024887 to the applicant.

**TOWNSHIP OF EDISON**  
**RESOLUTION**

**WHEREAS**, the Township Engineer advises that a final inspection was done of Panera Bread located at 1551 Route 1 South, located in Block 691, Lot 7-F-1; and

**WHEREAS**, the Cash Performance and Performance Bonds were released on October 9, 2003, through Resolution #544-102003 and Resolution #545-102003; and

**WHEREAS**, on July 9, 2003, Conboy and Mannion Contracting, Inc. posted inspection fees in the amount of \$1,375.00 on deposit in account #7200024896 with the Township of Edison for the required engineering inspection fees, pursuant to Township Ordinance; 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 \$786.35; and

**WHEREAS**, it is in now in order that the sum of \$588.65, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Conboy and Mannion Contracting, Inc., **having a new address of 36 Phila Street, Saratoga Springs, New York 12866**; and

**NOW THEREFORE, BE IT RESOLVED** BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of 588.65, plus accrued interest, if applicable, be refunded to the applicant; and

**BE IT FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund said sum of \$588.65, plus accrued interest, if applicable, in account #7200024896 to the applicant.

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, the Township Engineer advises that an inspection has been made of UAG-Ferrari Maserati-Phase I, located at 816 Route 1 North and Wasko Road, in Block 265-BB and Lot 115, Application #P11-06/07, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

**WHEREAS**, on July 7, 2009 UAG of Central New Jersey LLC d/b/a Ferrari-Maserati of Central Jersey posted a Maintenance Bond No. K08309462 of Westchester Fire Insurance Company in the amount of \$79,033.30, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

**WHEREAS**, the Township Engineer, recommends the release of the Maintenance Bond in the amount of \$79,033.30, principal being UAG of Central New Jersey LLC d/b/a Ferrari Maserati of Central New Jersey having offices at 816 Route 1 North, 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 Maintenance Bond in the amount of \$79,033.30 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 Maintenance Bond in the amount of \$79,033.30 to the applicant.

**EXPLANATION:** This resolution provides for Township Acceptance of the constructed roofing improvements under Public Bid No. 11-08-05-R: Roof - Edison Memorial Tower Museum, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$2,500.00 to Gen II Contracting Company, Inc., for a total re-roofing contract as-built cost of \$25,000.00.

## **TOWNSHIP OF EDISON**

### **RESOLUTION**

**WHEREAS,** Gen II Contracting Company, Inc., 395A Millstone Road, Clarksburg, New Jersey 08510-1520, was awarded a re-roofing contract, through resolution R.790-112011 on November 9, 2011, in an amount not to exceed \$26,560.00, for Public Bid No. 11-08-05-R: Roof - Edison Memorial Tower Museum, in the Township of Edison, Middlesex County, New Jersey; and

**WHEREAS,** the Township Engineer has reviewed the project and the Township Engineer certifies that the project has been completed, and that a two-year (2-year) maintenance bond, effective from February 23, 2012, the date of completion of work and acceptance of work by the project architect for the Edison Memorial Tower, in an amount covering 100% of the final as-built construction costs of \$25,000.00 for the project has been received by the Township of Edison, and Versico Roofing Systems Warranty has been received, and the Township Engineer therefore recommends project acceptance, release of the performance bond, and that final payment, including retainage, be made to Gen II Contracting Company, Inc., in an amount not to exceed \$2,500.00 for a total construction contract as-built cost of \$25,000.00, and that the remaining contract balance of \$1,560.00 be unencumbered after final payment is made and such balance restored to appropriate Township account.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the roofing project, Public Bid No. 11-08-05-R: Roof - Edison Memorial Tower Museum, 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 the Versico Roofing Systems Warranty, and that the performance bond may be released and that final payment, including retainage, shall be made to Gen II Contracting Company, Inc., in an amount not to exceed \$2,500.00 for a total construction contract as-built cost of \$25,000.00, and that the remaining contract balance of \$1,560.00 shall be unencumbered after final payment is made and such balance shall be restored to appropriate Township account.



**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, the Township Engineer advises that an inspection has been made of UAG-Ferrari Maserati-Phase II, located at 816 Route 1 North and Wasko Road, in Block 265-BB and Lot 115, Application #P11-06/07, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

**WHEREAS**, on July 7, 2009 UAG of Central New Jersey LLC d/b/a Ferrari-Maserati of Central Jersey posted a Maintenance Bond No. K08309504 of Westchester Fire Insurance Company in the amount of \$54,947.33, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

**WHEREAS**, the Township Engineer, recommends the release of the Maintenance Bond in the amount of \$54,947.33, principal being UAG of Central New Jersey LLC d/b/a Ferrari Maserati of Central New Jersey having offices at 816 Route 1 North, 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 Maintenance Bond in the amount of \$54,947.33 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 Maintenance Bond in the amount of \$54,947.33 to the applicant.

**EXPLANATION:** This resolution provides concurrence from the Municipal Council of the Township of Edison on the NJDOT's promulgation of a Traffic Regulation Order (TRO) for the establishment of a "No Passing Zone" along NJ Route 27 throughout the entire length of highway within the Township of Edison borders.

## **TOWNSHIP OF EDISON**

### **RESOLUTION**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) has conducted an investigation to inventory the existing centerline markings along NJ Route 27 (Lincoln Highway), in the Township of Edison, County of Middlesex, New Jersey; and

**WHEREAS**, the staff of the Bureau of Traffic Engineering and Investigations (BTEI), in the NJDOT, upon completion of their investigation has recommended to revise the centerline pavement markings to a "No Passing Zone" along NJ Route 27 throughout the entire length of Edison Township; and

**WHEREAS**, in order to legally establish the "No Passing Zones" the New Jersey Department of Transportation (NJDOT) is required to promulgate a Traffic Regulation Order (TRO), with the precursor to such order being the receipt of a Resolution of Concurrence from the municipal governing body;

**WHEREAS**, the Township Engineer has reviewed the establishment of a No Passing Zone on NJ Route 27, within the Township of Edison borders, along with the Chief of Police, and recommendation is provided to the municipal governing body to seek the referenced Traffic Regulation Order (TRO);

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the Township of Edison supports and concurs that a "No Passing Zone" shall be established along NJ Route 27 throughout the entire length of NJ Route 27 within the Township of Edison borders, and further concurs that the New Jersey Department of Transportation (NJDOT) promulgate a Traffic Regulation Order (TRO) for the establishment of the referenced "No Passing Zone."

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO PENYAK ROOFING COMPANY  
INCORPORATED FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM**

**WHEREAS**, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2011 Consolidated Annual Action Plan; and

**WHEREAS**, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

**WHEREAS**, quotes were received by the Township of Edison for Case Number 0611; and

**WHEREAS**, PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080 , submitted the lowest quote in the amount of \$6,640.00; and

**WHEREAS**, funds in the amount of \$6,640.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-11-0510-000-001.

**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 in the amount of \$6,640.00 by PENYAK ROOFING COMPANY INCORPORATED, 3571 Kennedy Road, South Plainfield, NJ 07080 for home improvements is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$6,640.00 and any other necessary documents, with PENYAK ROOFING COMPANY INCORPORATED as described herein.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FUEL-GASOLINE AND DIESEL CONTRACT WITH ALLIED OIL LLC, IN AN AMOUNT NOT TO EXCEED \$160,000.00**

**WHEREAS**, ALLIED OIL, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 was awarded Contract No. 11-12-06, FUEL-GASOLINE AND DIESEL on May 11, 2011 through Resolution R.323-052011 for a one year period effective June 9, 2011 in the amount of \$357,000.00 and that amount has been depleted; and

**WHEREAS**, the Purchasing Agent is in the process of rebidding this contract; and

**WHEREAS**, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

**WHEREAS**, the Township recommends that this contract in the amount not to exceed \$160,000.00 be renewed on a month to month basis expiring June 9, 2012 with the price as well as all terms and conditions to remain the same; and

**WHEREAS**, the total amount of this contract, not to exceed \$160,000.00, 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 the Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$160,000.00, and any other necessary documents, with ALLIED OIL, LLC, as described herein.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FUEL-GASOLINE AND DIESEL CONTRACT WITH J.W. PIERSON COMPANY IN AN AMOUNT NOT TO EXCEED \$30,000.00**

**WHEREAS**, J.W. PIERSON COMPANY, 89 Dodd Street, East Orange, NJ 07017 was awarded Contract No. 11-12-06, FUEL-GASOLINE AND DIESEL on May 11, 2011 through Resolution R.321-

052011 for a one year period effective June 9, 2011 in the amount of \$153,000.00 and that amount will soon be depleted; and

**WHEREAS**, the Purchasing Agent is in the process of rebidding this contract; and

**WHEREAS**, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

**WHEREAS**, the Township recommends that this contract in the amount not to exceed \$30,000.00 be renewed on a month to month basis expiring June 9, 2012 with the price as well as all terms and conditions to remain the same; and

**WHEREAS**, the total amount of this contract, not to exceed \$30,000.00, 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 the Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, and any other necessary documents, with J.W. PIERSON COMPANY as described herein.

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FUEL-GASOLINE AND DIESEL CONTRACT WITH EAST RIVER ENERGY IN AN AMOUNT NOT TO EXCEED \$148,000.00**

**WHEREAS**, EAST RIVER ENERGY, 401 Soundview Road, P.O. Box 388, Guilford, CT 06437 was awarded Contract No. 11-12-06, FUEL-GASOLINE AND DIESEL on May 11, 2011 through Resolution R.322-052011 for a one year period effective June 9, 2011 in the amount of \$431,000.00 and that amount will soon be depleted; and

**WHEREAS**, the Purchasing Agent is in the process of rebidding this contract; and

**WHEREAS**, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

**WHEREAS**, the Township recommends that this contract in the amount not to exceed \$148,000.00 be renewed on a month to month basis expiring June 9, 2012 with the price as well as all terms and conditions to remain the same; and

**WHEREAS**, the total amount of this contract, not to exceed \$148,000.00, 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 the Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$148,000.00, and any other necessary documents, with EAST RIVER ENERGY as described herein.

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO STILO EXCAVATION, INC. FOR  
THE FURNISHING OF PAVEMENT MILLING AND TACK COATING**

**WHEREAS**, bids were received by the Township of Edison on March 30, 2011 for Pavement Milling and Tack Coating; and

**WHEREAS**, STILO EXCAVATING, INC., 2907 So. Clinton Avenue, South Plainfield, NJ 07080 submitted the lowest legally responsible bid in the amount of \$99,200.00 for each year of a two year contract; and

**WHEREAS**, the Township wishes to award the second year of this contract and the total amount of the award of this contract 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 in the amount of \$99,200.00 by STILO EXCAVATING, INC., 2907 So. Clinton Avenue, South Plainfield, NJ 07080 for PAVEMENT MILLING AND TACK COATING is determined to be the lowest legally responsible bid.
2. The Mayor, or her designee, is hereby authorized to execute the second year of the contract in the amount not to exceed \$99,200.00, and any other necessary documents, with STILO EXCAVATING, INC.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
RAVI VEDANTAM FOR THE ABC PROGRAM**

**WHEREAS** Ravi Vedantam, made a duplicate payment for the month of June in the amount of \$150 for his child Sathvik Vedantam's participation in the ABC Program at James Madison Primary Elementary School; and

**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 \$150.00 to Ravi Vedantam, 2406 Deerfield Dr., Edison, NJ 08820, which amount represents the overpayment for the ABC program.



**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
ANAND ARVADIA FOR THE KFC PROGRAM**

**WHEREAS** Anand Arvadia made payment in the amount of \$5.00 for her child Om Arvadia's participation in the Kids Fun Clubs Programs at the Stelton Community Center; and

**WHEREAS** the class was cancelled.

**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 \$5.00 to Anand Arvadia, 705 Village Drive, Edison, NJ 08817, which amount represents the registration fee for a third class.

**RESOLUTION AUTHORIZING THE PURCHASE OF TICKETS FROM DORNEY PARK AND  
WILDWATER KINGDOM**

**WHEREAS**, Edison Township Department of Recreation is desirous of acquiring discounted tickets for their 2012 summer playground programs; and

**WHEREAS**, DORNEY PARK AND WILDWATER KINGDOM, 3830 Dorney Park Road, Allentown, PA 18104 offers discounted tickets and a buffet lunch; and

**WHEREAS**, the Township wishes to purchase these for a summer playground trip in July; and

**WHEREAS**, the maximum amount for this purchase shall not exceed \$6,510.75; and

**WHEREAS**, funds for this purpose are available for the above purchase in the Recreation-Recreation Supplies Account, No. 2-01-28-0370-000-066.

**NOW, THEREFORE, IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to purchase tickets from DORNEY PARK AND WILDWATER KINGDOM, in an amount not to exceed \$6,510.75.

**RESOLUTION AUTHORIZING THE PURCHASE OF TRIP TICKETS ON CONSIGNMENT FROM NEW JERSEY RECREATION AND PARKS ASSOCIATION, INC.**

**WHEREAS**, Edison Township Department of Recreation is desirous of acquiring discounted tickets, on consignment, for their 2012 summer playground programs; and

**WHEREAS**, New Jersey Recreation and Park Association, offers discounted tickets as well as the ability to return unused tickets; and

**WHEREAS**, no other company offers this type of discount or return policy; and

**WHEREAS**, it has been recommended by the Director of Recreation that this contract be awarded to New Jersey Recreation and Park Association, 13 April Lane, Somerset, NJ 08873; and

**WHEREAS**, the maximum amount for this purchase shall not exceed \$10,140.00 for summer playground programs for the months of July and August; and

**WHEREAS**, funds for this purpose are available for the above purchase in the Recreation-Recreation Supplies Account, No. 2-01-28-0370-000-066.

**NOW, THEREFORE, IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to purchase tickets from New Jersey Recreation and Park Association, Inc., in an amount not to exceed \$10,140.00.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO CAPTURE POINT FOR A  
COMPUTER SOFTWARE PROGRAM FOR THE DEPARTMENT OF RECREATION**

**WHEREAS**, quotes were solicited by The Township of Edison for a Software Program for the Department of Recreation; and

**WHEREAS**, CAPTURE POINT, 215 E. Ridgewood Avenue, Ridgewood, NJ 07450 submitted the lowest quote in the amount of \$13,944.00; of which \$13,794.00 is for the program set-up and One (1) Year Subscription and an additional one-time fee of \$150.00 is for Program Analysis (analyze and update programs into the system at \$5.00 per program); and

**WHEREAS**, funds in the total amount of \$13,944.00 have been certified to be available in the Recreation – Other Contractual Items Account, No. 2-01-28-0370-000-029, subject to and contingent upon Council adoption of the 2012 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 CAPTURE POINT, 215 E. Ridgewood Avenue, Ridgewood, NJ 07450 for a Computer Software Program for the Department of Recreation; 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 \$13,944.00, and any other necessary documents, with CAPTURE POINT.

## RESOLUTION

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License #1205-33-023-005, heretofore issued to Mac Acquisition, LLC, t/a Macaroni Grill for premises located at 1521 Route 1, Edison, NJ 08837; and

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that the Edison Township Governing Body does hereby approve, effective April 11, 2012, the transfer of the aforesaid Plenary Retail Consumption License to Mac Acquisition of New Jersey, LLC, t/a Macaroni Grill for premises located at 1521 Route 1, Edison, NJ 08837 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Mac Acquisition of New Jersey, LLC, effective April 11, 2012."

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT TO HODULIK AND MORRISON, P.A. TO REPRESENT THE TOWNSHIP  
AS TOWNSHIP AUDITOR**

**WHEREAS**, Hodulik and Morrison, P.A., previously handled auditing for the Township of Edison; and

**WHEREAS**, the Township recommends Hodulik and Morrison, P.A., for the position of Township Auditor; and

**WHEREAS**, this contract is being awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

**WHEREAS**; the total amount of this contract shall not exceed \$115,000.00; and

**WHEREAS**, Hodulik and Morrison, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit Hodulik and Morrison, P.A. from making any reportable contributions through the term of this one year contract; and

**WHEREAS**, compensation for the professional services shall be at a rate of \$135 per hour for Principal, \$110 per hour for Senior Accountant and \$85 per hour for Junior Accountant, in an amount not to exceed One Hundred Fifteen Thousand (\$115,000.00) dollars (inclusive of expenses); and

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

1. The Township is hereby authorized to execute a contract and any other necessary documents, in the amount of \$115,000.00, with Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.