

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, October 24, 2011
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 6, 2011, 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 September 14, 2011
 - b. Combined Meeting of September 26, 2011
 - c. Worksession Meeting of October 11, 2011
6. **ADMINISTRATIVE AGENDA:
FROM MAYOR ANTONIA RICIGLIANO:**
 - a. Re-appointment of Carlos Sanchez as a member of the Housing Authority.
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Award of bid for Contract No. 11-06-27, Pool Renovations – YMCA Family Swim Club at Oakcrest
 - b. Resolution authorizing payment to Malouf Ford, Inc.
10. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through October 20, 2011
 - b. Resolution authorizing refund in the amount of \$31,277.53 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$3,930.64.
 - d. Resolution authorizing refund of sewer use fees, totaling \$140.23.
 - e. Corrective Action Plan
 - f. Request for item of revenue and appropriation for YMCA Family Swim Club at Oakcrest
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Ordinance establishing no parking on Kilmer Road
 - b. Release of cash performance bond for MCC Realty Investment Co., Route 27 and Division Street, Application #P14-08/09
12. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Refund of fees
 - b. Agreement with ACS State and Local Solutions, Inc. for a point of service device
13. **FROM THE TOWNSHIP CLERK:**
 - a. Renewal of Liquor License
14. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
15. **COMMUNICATIONS:**

None

16. **DISCUSSION ITEMS:**

Council President Diehl

None

Councilmember Gomez

None

Councilmember Karabinchak

- a. Tax Appeals
- b. Oak Tree and Woodland Intersection
- c. Creation of a parking authority
- d. Expanding Edison TV
- e. Edison Tower

Councilmember Lankey

None

Councilmember Mascola

None

Councilmember Perilstein

None

Councilmember Prasad

None

17. **CLOSED SESSION:**

- a. Litigation – Tax Appeals
- b. Personnel

18. **ADJOURNMENT**

RESOLUTION AWARDING CONTRACT FOR ALTERNATE BIDS TO RJR ENGINEERING COMPANY INCORPORATED FOR POOL RENOVATIONS-YMCA FAMILY SWIM CLUB AT OAKCREST

WHEREAS, bids were received by the Township of Edison on August 3, 2011 for Public Bid No. 11-06-27, Pool Renovations-YMCA Family Swim Club at Oakcrest; and

WHEREAS, RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 submitted the lowest legally responsible, responsive bid; and

WHEREAS, Resolution R.622-082011 dated August 24, 2011 awarded RJR ENGINEERING COMPANY INCORPORATED Item Number One of Public Bid 11-06-27 in the amount of \$637,300.00 as funding was only available for the base bid at that time; and

WHEREAS, the Township of Edison wishes to award the bid alternates (Item Numbers 2 through 6) in the total amount of \$115,300.00 at this time; and

WHEREAS, on October 6, 2011 the County of Middlesex, Board of Chosen Freeholders authorized Resolution 11-1690-R contributing additional funds for this project in the amount of \$100,000.00 to be forwarded to the Township of Edison; and

WHEREAS, the balance of funds in the amount of \$15,300.00 have been certified to be available in the Middlesex County Oakcrest Swim Club Grant Account, Number G-02-10-0165-804-000.

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 alternates as submitted by RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 for Pool Renovations-YMCA Family Swim Club at Oakcrest, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$115,300.00 for Item Numbers 2 through 6 (Alternate Items 1-5), and any other necessary documents, with RJR ENGINEERING COMPANY INCORPORATED as described herein.
3. I hereby certify that funds are available as per the attached Certification.

RESOLUTION AUTHORIZING PAYMENT OF \$12,342.55 TO MALOUF FORD, INC.-\$9,842.55 OF IT TO BE REIMBURSED BY INSURANCE

WHEREAS, during hurricane Irene on August 28, 2011, a 2009 Ford Escape Hybrid (E-2) was damaged due to water resulting in the need for a new electric motor and transmission in addition to various other repairs; and

WHEREAS, the damaged vehicle was sent to Malouf Ford, Inc., Route 1 & Commerce Blvd., PO Box 7480, North Brunswick, NJ 08902 for repairs; and

WHEREAS, total vehicle damage was \$12,342.55; \$9,842.55 of it to be reimbursed by insurance; and

WHEREAS, funds in the amount of \$12,342.55 have been certified to be available in the Engineering Services-Other Contractual Account, Number 1-01-20-0165-000-029; and

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to Malouf Ford, Inc., Route 1 & Commerce Blvd., PO Box 7480, North Brunswick, NJ 08902 in the amount of \$12,342.55.

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 \$31,277.53.

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 \$3,930.64 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 \$140.23 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 RECEIVING CORRECTIVE ACTION PLAN
FOR THE TOWNSHIP OF EDISON AUDIT FOR THE
FISCAL YEAR ENDING ON DECEMBER 31, 2010**

WHEREAS, New Jersey Local Government Units are required to be audited and required to formulate a Corrective Action Plan within sixty (60) days of the receipt of the audit by the Municipal Governing Body; and
WHEREAS, the Council of the Township of Edison in the County of Middlesex, New Jersey has received the report of Audit for the Fiscal year ending on December 31, 2010 in time for it to be included in their agenda packets for the public meeting scheduled for October 13, 2011; and
WHEREAS, the Council of the Township of Edison in the County of Middlesex, New Jersey has received the Corrective Action Plan;
NOW, THEREFORE, IT IS RESOLVED by the Council of the Township of Edison in the County of Middlesex, New Jersey that it has received the Corrective Action Plan for the report of Audit for the fiscal year ending on December 31, 2010 within sixty (60) days of the receipt of said audit.

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE
AND APPROPRIATION PURSUANT TO N.J.S.A 40A:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County of Municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of **\$100,000.00**, which will be available from **GENERAL REVENUES 3. Miscellaneous Revenues-Section F. Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations;** YMCA Family Swim Club at Oakcrest; in the amount of \$100,000.00

IT IS FURTHER RESOLVED that the like sum of **\$100,000.00** is hereby appropriated under the caption **8. GENERAL APPROPRIATIONS (A) Excluded from "CAPS";** YMCA Family Swim Club at Oakcrest; and

IT IS FURTHER RESOLVED that the above is the result of a grant extension and funds to be received from the County of Middlesex (see annexed) in the amount of **\$100,000.00**.

EXPLANATION: This Ordinance establishes Parking Prohibitions (No Parking) on the entire segment of Kilmer Road as described, specifically the establishment of No Parking on both the north side and the south side of Kilmer Road, from the limits of Plainfield Avenue (CR # 529) to the Borough of Highland Park border.

EDISON TOWNSHIP

ORDINANCE O.____-2011

WHEREAS, the Township of Edison wishes to prohibit parking at all times on the entire roadway segment of Kilmer Road, and wishes to establish No Parking on both the north side and the south side of Kilmer Road, from the limits of Plainfield Avenue (CR # 529) to the Borough of Highland Park border; and

WHEREAS, the Township of Edison is permitted to adopt said ordinance without the approval of the Commissioner of Transportation pursuant to N.J.S.A. 39:4-197 and N.J.S.A. 39:4-8; and

WHEREAS, as required by N.J.S.A. 39:4-8, the Township Engineer has provided the appropriate certification.

BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter VII Traffic, Section 7-14 entitled “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.” is hereby amended as follows:

SECTION I. Section 7-14 entitled “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.” is hereby amended to revise **Kilmer Road** as follows:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
[Kilmer Road]	[South]	[From Truman Drive to a point 600 feet east thereof]
Kilmer Road	North	From Plainfield Avenue (CR # 529) west to the Borough of Highland Park border
Kilmer Road	South	From Plainfield Avenue (CR # 529) [to the NJ Transit Driveway opposite Kilmer Court] <u>west to the Borough of Highland Park border</u>
[Kilmer Road]	[South]	[From Truman Drive southwest to the Highland Park border]

SECTION II. This ordinance shall take effect twenty (20) days after adoption, concurrence through consent resolution of the Middlesex County Board of Chosen Freeholders, and approval by the Mayor in accordance with N.J.S.A. 40:69A-181(b).

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

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of MCC Realty Investment Co. (Festival Plaza) located at Route 27 & Division Street in Block #96, Lots 45 & 46, Application #P14-08/09, 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 presently being held by the Township of Edison be released; and

WHEREAS, a Maintenance Bond was posted on August 2, 2011 in the amount of \$193,669.50; and

WHEREAS, Cash Performance Bond fees were posted in the amount \$ 480,846.00 on deposit in Account #7760013393 by Edison I, LLC having offices at 301 N. Canon Drive, Suite 105, Beverly Hills, California 90210; and

WHEREAS, a Cash Performance Bond Reduction was posted on January 28, 2010 in the amount of \$147,168.00, Resolution #082-022010 reducing the Cash Performance Bond to \$333,678.00 ; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$333,678.00 plus accrued interest, if applicable, on deposit in account #7760013393 principal being Edison I, LLC, 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 Cash Performance Bond in the amount of \$333,678.00, 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 \$333,678.00, plus accrued interest if applicable on deposit in account #7760013393 to the applicant.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
LORENA JURADO RESTIEPO FOR THE ABC PROGRAM**

WHEREAS Lorena Jurado Restiepo, made payment in the amount of \$150.00 for her child Bryan Torrech's participation in the ABC Program at John Marshall Elementary School; and

WHEREAS the child will be attending school out of the district due to medical reasons.

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 Lorena Jurado Restiepo, 229 Forest Dr., Edison, NJ 08817, which amount represents the monthly payment for the ABC program.

AUTHORIZING AN AGREEMENT WITH ACS STATE AND LOCAL SOLUTIONS, INC., FOR THE PROVISION OF A POINT OF SERVICE (POS) DEVICE REQUIRED BY THE STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES FOR ANY FACILITY PROVIDING CHILD CARE SERVICES.

WHEREAS, the state of New Jersey has mandated all facilities that furnish child care services to provide for implementation of their **e-Child Care** system (ECC) to automate child care attendance this fall; and

WHEREAS, the vendor selected by the state to furnish this service on their behalf is ACS State & Local Solutions, Inc., a New York Corporation having an office at 8260 Willow Oaks Corporate Drive, Fairfax Virginia, 22031; and

WHEREAS, ACS and the Township require an agreement between the parties to memorialize the terms and covenants between the parties before the relationship ripens into one having legal consequences

NOW, THEREFORE, IT IS 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 execute the agreement with ACS State & Local Solutions, Inc., 8260 Willow Oaks Corporate Drive, Fairfax, Virginia, 22031; copies of which have been furnished to the Municipal Clerk, on behalf of the Township of Edison.

DATED: October 26, 2011

RESOLUTION

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2011; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2011, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective October 26, 2011.

LICENSE NUMBER

LICENSEE AND LOCATION

ADDRESS

1205-33-062-001

Wick Wholesalers, Inc
PO Box 29

Woodbridge, NJ 07095
Pocket License