

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, December 14, 2011
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Special Meeting of November 3, 2011
5. **COUNCIL PRESIDENT'S REMARKS**
6. **UNFINISHED BUSINESS:**
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING AND FINAL ADOPTION:

The following Ordinances have been published according to law, the affidavits are in the possession of the Township Clerk, and copies are posted in the Council Chambers:

O.1785-2011 AN ORDINANCE AUTHORIZING A RIGHT OF WAY USE AGREEMENT WITH QWEST COMMUNICATIONS COMPANY, LLC FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES

O.1786-2011 AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH THE COMMUNITY HOSPITAL GROUP, INC. T/A JFK MEDICAL CENTER FOR THE USE OF PORTIONS OF THE EDISON TOWNSHIP PUBLIC SAFETY CENTER IN RARITAN CENTER.
7. **NEW BUSINESS:**
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, DECEMBER 28, 2011:

O.1788-2011 AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CROSS ACCESS EASEMENT LOCATED AT 1031-1043 AMBOY AVENUE FROM AMBOY AVENUE INVESTMENT, LLC

O.1789-2011 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EDISON REGARDING THE SERGEANTS LIST

8. **PUBLIC COMMENT ON THE RESOLUTIONS**

9. **PROPOSED RESOLUTIONS**

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

R.849-122011 Resolution approving disbursements for the period ending December 8, 2011.

R.850-122011 Resolution authorizing refund in the amount of \$70,661.22 for redemption of tax sale certificates.

R.851-122011 Resolution authorizing refund of tax overpayments, totaling \$102,412.67.

R.852-122011 Resolution authorizing refund of sewer use fees, totaling \$132.53.

R.853-122011 Resolution authorizing release of escrow funds to Federal Business Centers, for property known as Parkway Place, in the amount of \$3.71.

R.854-122011 Resolution authorizing release of escrow funds to SBA Network Services, for property located at 78 Talmadge Road, in the amount of \$243.68.

R.855-122011 Resolution authorizing release of escrow funds to T-Mobile, for property located at 3880 Park Avenue, in the amount of \$529.50.

R.856-122011 Resolution authorizing release of escrow funds to Verizon Wireless, for property located at 561 US Route One, in the amount of \$31.42.

R.857-122011 Resolution authorizing release of escrow funds to Metro PCS New York, LLC, for property located at 1015 US Route One, in the amount of \$494.42.

R.858-122011 Resolution authorizing release of escrow funds to Metro PCS New York, LLC, for property located at 651 King Georges Post Road, in the amount of \$414.50.

R.859-122011 Resolution authorizing release of escrow funds to Metro PCS New York, LLC, Application Number Z61-07/08, in the amount of \$399.28.

R.860-122011 Resolution authorizing release of escrow funds to Metro PCS New York, LLC, for property located at 78 Talmadge Road, in the amount of \$177.34.

R.861-122011 Resolution authorizing release of escrow funds to Seagis Edison 2170 LLC, for property located at 2170-2190 Lincoln Highway, in the amount of \$148.03.

R.862-122011 Resolution authorizing release of escrow funds to Metro PCS New York LLC, for property located at 150 Whitman Avenue, in the amount of \$254.91.

R.863-122011 Resolution authorizing release of escrow funds to SRG1, LLC, for property located at Lincoln Highway Rt. 27, in the amount of \$21.01.

R.864-122011 Resolution authorizing release of escrow funds to Kang Lee & Lee Allergy Associates, for property located at 1790 Oak Tree Road, in the amount of \$338.75.

R.865-122011 Resolution authorizing release of escrow funds to Gosselin Funeral Home, for property located at 662 New Dover Road, in the amount of \$17.28.

R.866-122011 Resolution authorizing release of escrow funds to Verizon Wireless, for property located on Inman Avenue, in the amount of \$380.50.

R.867-122011 Resolution authorizing release of escrow funds to Stacey Kalambakas for property located at 44 Edmund Street, in the amount of \$4,245.00.

- R.868-122011 Resolution authorizing release of escrow funds to Drive-in Menlo Park LLC, for property located at 236 Lafayette Avenue, in the amount of \$5.13.
- R.869-122011 Resolution authorizing release of escrow funds to Syed Shah, in the amount of \$346.25.
- R.870-122011 Resolution authorizing release of escrow funds to Rose City Petroleum, for property located at 764 New Durham Road, in the amount of \$350.00.
- R.871-122011 Resolution authorizing release of escrow funds to E-Plan LLC, for property located on Parsonage Road, in the amount of \$411.74.
- R.872-122011 Resolution authorizing release of escrow funds to Antoun Nader, for property located at 2195 Lincoln Hwy Rt. 27, in the amount of \$876.75.
- R.873-122011 Resolution authorizing release of escrow funds to Mary E. Kislan, for property located at 16 Morris Avenue, in the amount of \$0.14.
- R.874-122011 Resolution authorizing release of street opening escrow to John Burton Plumbing and Heating, for property located at 18 Gales Road, in the amount of \$360.00.
- R.875-122011 Resolution canceling outstanding checks issues against the Township of Edison, totaling \$26,441.78.
- R.876-122011 Resolution authorizing disabled veterans deduction to Fred Stellingwerf, 19 Old Post Road.
- R.877-122011 Resolution authorizing refund of sewer use fees, totaling \$103.96.
- R.878-122011 Resolution authorizing acceptance of grant for the Emergency Services Personnel Hepatitis B Education and Vaccination Program.
- R.879-122011 Resolution authorizing application for the Exxon-Mobil 21012/2013 Community Outreach/Local Giving Program Grant.
- R.880-122011 Resolution authorizing a Deed Restriction for rental housing units at 26 Mill Road.
- R.881-122011 Resolution authorizing a Deed Restriction for rental housing units at 25-A Knapp Street.
- R.882-122011 Resolution authorizing a Deed Restriction for rental housing units at 84 Harrigan Street.
- R.883-122011 Resolution authorizing refund of construction permit fee to Certified Kitchens, Inc., for property located at 37 Turner Avenue, in the amount of \$295.00.
- R.884-122011 Resolution authorizing refund of Maintenance Bond to J&M Self Storage, 1939 Oak Tree Road, Application #Z31-06/07.
- R.885-122011 Resolution authorizing release of performance bond to Ferrante Landmark LLC, 1564-1566 Lincoln Highway, Application #Z29-04/05.
- R.886-122011 Resolution authorizing final acceptance of Contract No. 11-29-01, Jennifer Court Sanitary Sewer Rehabilitation.
- R.887-122011 Resolution authorizing refund of ABC Program Fee to Patricia Estrella, in the amount of \$158.52.
- R.888-122011 Resolution authorizing refund of ABC Program Fee to Janak Patel, in the amount of \$150.00.
- R.889-122011 Resolution authorizing reimbursement to various adult softball teams for ending the season in good standing, totaling \$1,400.00.
- R.890-122011 Resolution scheduling the Re-Organization Meeting of the Municipal Council.
- R.891-122011 Resolution authorizing the closure of Tingley Lane.
- R.892-122011 Resolution opposing the approval of Tikun Olam and urging the NJDOE to support the charter school reform legislation.
- R.893-122011 Resolution authorizing amendment to Professional Service Contract with Karl Kemm, Township Attorney for an increase in fees, totaling \$203,269.00.

10. **COMMUNICATIONS:**

- a. Electronic Mail message from Denise Mautone regarding bid opening for Featherbed Lane Reconstruction – receive
- b. Letter from Richard Brescher regarding communication between the Mayor and Council - receive

11. **ORAL PETITIONS AND REMARKS**

12. **ADJOURNMENT**

Explanation: This Ordinance authorizes the Mayor to execute a Rights of Way Use Agreement with QWEST Communications Company, LLC for the use of public rights of way for the installation of telecommunication lines and facilities.

TOWNSHIP OF EDISON

ORDINANCE O.1785-2011

WHEREAS, QWEST Communications Company, LLC is a telecommunications company which possesses the required approval from the New Jersey Board of Public Utilities and is requesting consent from the Township pursuant to N.J.S.A. 48:2-14 to use its rights of way as proposed in the attached Rights of Way Use Agreement; and

WHEREAS, QWEST Communications Company, LLC will, in part, be providing service to I.O. Data Centers which is located on the property designated as Block 795-D, Lot 22B-8, 3003 Woodbridge Avenue which is more commonly known as the former New York Times building. I.O. Data Centers is a computer data storage services company which is in need of telecommunication lines and services to operate its business which QWEST Communications Company, LLC will be providing; and

WHEREAS, as the Township is authorized to grant such consent pursuant to N.J.S.A. 48:3-11 et seq.

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

1. The attached Rights of Way Use Agreement with QWEST Communications Company, LLC is hereby approved by the Township Council and the Mayor is hereby authorized to execute the attached Rights of Way Use Agreement.
2. The Mayor, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the Rights of Way Use Agreement and all other documents and undertake all actions reasonably necessary to effectuate the Rights of Way Use Agreement approved herein.

BE IT FURTHER ORDAINED, that this ordinance shall take effect twenty (20) days after the adoption and approval by Mayor in accordance with N.J.S.A 40:69A: 181(b).

EXPLANATION: This Ordinance authorizes the Township of Edison to enter into a Lease Agreement with The Community Hospital Group, Inc., t/a JFK Medical Center for use of portions of the Edison Township Public Safety Center in Raritan Center.

TOWNSHIP OF EDISON

ORDINANCE O.1786-2011

WHEREAS, the Township wishes to lease portions of Township property, known as the Edison Township Public Safety Center in Raritan Center (and also known as Firehouse No. 7) located at 205 Raritan Center Parkway, Edison, N.J. 08837, to The Community Hospital Group, Inc., t/a JFK Medical Center, for the purpose of providing ambulance service; and

WHEREAS, the Township has determined, pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et. seq., specifically N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24, that these areas are not needed for public use and are not otherwise dedicated or restricted pursuant to law and that the areas to be leased are not presently needed for public use and that, subject to the terms and conditions in the Lease Agreement, the use by the lessee is not of such a character as to be a detriment to the areas, or the use of the areas, and the use of the unleased parts of the areas; and

WHEREAS, The Community Hospital Group, Inc., t/a JFK Medical Center, the Lessee, is providing a public service which will benefit the residents of Edison and others in the community; and

WHEREAS, the Lease shall be concurrent with the separate Ambulance Services Billing Coordination Agreement between The Community Hospital Group, Inc., t/a JFK Medical Center and the Township of Edison dated August 11, 2010 which terminates in five (5) years on August 11, 2015 and therefore this Agreement shall commence on the execution of the Lease and terminate on August 11, 2015; and

WHEREAS, consideration for the within Lease shall be the Lessee's provision of janitorial and cleaning services to the areas it leases and the entire Building; and

WHEREAS, the Township wishes to enter into the Lease Agreement, which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the attached Lease Agreement is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor, Township Administrator, Township Clerk, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the aforementioned Lease Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Lease Agreement and this Ordinance.

This Ordinance shall take effect twenty (20) days after adoption and approval by the Mayor in accordance with N.J.S.A. 40:69A:181(b) and publication according to law.

Explanation: This Ordinance authorizes the Township of Edison to accept a Cross Access Easement on the property located at 1031-1043 Amboy Avenue from Amboy Avenue Investment, LLC.

EDISON TOWNSHIP

ORDINANCE O.1788-2011

WHEREAS, Amboy Avenue Investment, LLC (“Grantor”) and its principal Anthony N. Acello obtained an approval from the Edison Township Planning Board (“Planning Board”) by Resolution dated October 17, 2011 for final site plan approval and has received preliminary site plan approval by Resolution dated September 19, 2011 which also resulted in the consolidation of Block 727, Lots 1A, 2, 3, 4, and 5 into new Block 727, Lot 5.01 (“Approvals”); and,

WHEREAS, the Approvals require the Grantor to provide to the Township of Edison (“Grantee”) a certain Cross Access Easement affecting a portion of new Block 727, Lot 5.01 which is located at 1031-1043 Amboy Avenue; and,

WHEREAS, the Township Council of the Township of Edison, desires to accept the above described Cross Access Easement; and,

WHEREAS, the purpose of this conveyance is to satisfy the final site plan approval, as set forth in the Planning Board’s Approval; and,

WHEREAS, the Township Attorney has reviewed and approves the above Cross Access Easement and finds it acceptable in all respects.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that it hereby authorizes acceptance of the Cross Access Easement attached hereto and authorizes the Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees to execute and deliver the Easement and all other documents and undertake all actions reasonably necessary to effectuate and implement this Ordinance and the terms of the Easement as may be necessary.

BE IT FURTHER ORDAINED, that this ordinance shall take effect twenty (20) days after the adoption and approval by Mayor in accordance with N.J.S.A 40:69A:181(b).

ORDINANCE O.1789-2011

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EDISON REGARDING THE POLICE SERGEANT'S LIST

BE IT ORDAINED, By the Municipal Council of the Township of Edison that the Code of the Township of Edison is hereby amended and supplemented as follows:

Section I. The appointment list established pursuant to Section 2-29.5(j)(2) of the Code of the Township of Edison dated January 7, 2010 and expiring January 7, 2012 is hereby extended and said list will expire on January 7, 2013.

Section II. This ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

RESOLUTION R.849-122011

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING DECEMBER 8, 2011

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through December 8, 2011

FUND	AMOUNT
Current	\$15,294,414.46
Dog (Animal Control)	1,893.00
Sewer Utility	1,935,876.19
Capital	326,900.10
CDBG	0.00
Trust	68,507.14
Grant Funds	259,604.00
Sanitation Fund	137,529.01
Payroll Deductions	831,973.01
Park Improvements	0.00
Developers Escrow	21,966.58
Cash Performance	17,329.56
Affordable Housing	1,125.00
Tax Sale	206,852.56
Law Enforcement	7,195.00
Federal Forfeited	0.00
Street Opening Escrow	0.00
TOTAL	\$19,111,165.61

/s/ Lawrence Pollex
Acting Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.850-122011

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 \$70,661.22.

RESOLUTION R.851-122011

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 \$102,412.67 and

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

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

RESOLUTION R.852-122011

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 \$132.53 and

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

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

RESOLUTION R.853-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296049, to the following:

Developer's Name & Address:	Federal Business Center 300 Raritan Center Parkway Edison, NJ 08818
Application Number:	Z17-09/10
Project Location:	Parkway Pl
Block/Lot:	390.CC/1
Amount to be Refunded, plus accrued interest, if applicable:	\$3.71

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.854-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7200025008, to the following:

Developer's Name & Address:	SBA Network Services 5900 Broken Sound Parkway NW Boca Raton, FL 33487
Application Number:	Z06-04/05
Project Location:	78 Talmadge Road
Block/Lot:	123/13
Amount to be Refunded, plus accrued interest, if applicable:	\$243.68

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.855-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216702, to the following:

Developer's Name & Address:	T-Mobile 12920 SE 38 th Street Bellevuw, WA 98006
Application Number:	Z18-06/07
Project Location:	3880 Park Ave
Block/Lot:	593/1.C1
Amount to be Refunded, plus accrued interest, if applicable:	\$529.50

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.856-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216776, to the following:

Developer's Name & Address:	Verizon Wireless 141 Industrial Parkway Branchburg, NJ 08876
Application Number:	Z40-07/08
Project Location:	561 US Route One
Block/Lot:	161.K/11
Amount to be Refunded, plus accrued interest, if applicable:	\$31.42

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.857-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216790, to the following:

Developer's Name & Address:	Metro PCS New York, LLC 5 Skyline Drive Hawthorne, NY 10532
Application Number:	Z49-07/08
Project Location:	1015 US Route One
Block/Lot:	198.1/39
Amount to be Refunded, plus accrued interest, if applicable:	\$494.42

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.858-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216800, to the following:

Developer's Name & Address:	Metro PCS New York, LLC 5 Skyline Drive Hawthorne, NY 10532
Application Number:	Z75-07/08
Project Location:	651 King Georges Post Road
Block/Lot:	752/24.A
Amount to be Refunded, plus accrued interest, if applicable:	\$414.50

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.859-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216820, to the following:

Developer's Name & Address:	Metro PCS New York, LLC 520 White Plains Road, Suite 500 Tarrytown, NY 10591
Application Number:	Z61-07/08
Project Location:	
Block/Lot:	643/15
Amount to be Refunded, plus accrued interest, if applicable:	\$399.28

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.860-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760216821, to the following:

Developer's Name & Address:	Metro PCS New York, LLC 520 White Plains Road, Suite 500 Tarrytown, NY 10591
Application Number:	Z60-07/08
Project Location:	78 Talmadge Road
Block/Lot:	123/13
Amount to be Refunded, plus accrued interest, if applicable:	\$177.34

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.861-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295953, to the following:

Developer's Name & Address:	Seagis Edison 2170 LLC 100 Front Street Suite 1370 Conshohocken, PA 19428
Application Number:	Z68-07/08
Project Location:	2170-2190 Lincoln Highway
Block/Lot:	1120/63
Amount to be Refunded, plus accrued interest, if applicable:	\$148.03

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.862-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295961, to the following:

Developer's Name & Address:	Metro PCS New York, LLC 5 Skyline Drive Hawthorne, NY 10532
Application Number:	Z03-08/09
Project Location:	150 Whitman Avenue
Block/Lot:	197/3.B.1
Amount to be Refunded, plus accrued interest, if applicable:	\$254.91

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.863-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295971, to the following:

Developer's Name & Address:	SRG1, LLC 3 Falcon Trail Warren, NJ 07059
Application Number:	P58-07/08
Project Location:	Lincoln Hwy Rt 27
Block/Lot:	673/1.A2
Amount to be Refunded, plus accrued interest, if applicable:	\$21.01

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.864-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760295999, to the following:

Developer's Name & Address:	Kang Lee & Lee Allergy Associates 1790 Oak Tree Road Edison, NJ 08820
Application Number:	Rezone
Project Location:	1790 Oak Tree Road
Block/Lot:	546.K/3
Amount to be Refunded, plus accrued interest, if applicable:	\$338.75

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.865-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296002, to the following:

Developer's Name & Address:	Gosselin Funeral Home 660 New Dover Road Edison, NJ 08820
Application Number:	Z12-08/09
Project Location:	662 New Dover Road
Block/Lot:	498/29.4
Amount to be Refunded, plus accrued interest, if applicable:	\$17.28

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.866-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296008, to the following:

Developer's Name & Address:	Verizon Wireless 141 Industrial Avenue Branchburg, NJ 08876
Application Number:	Z15-08/09
Project Location:	Inman Avenue
Block/Lot:	412/3.P
Amount to be Refunded, plus accrued interest, if applicable:	\$380.50

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.867-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296031, to the following:

Developer's Name & Address:	Stacey Kalambakas 3 Red Barn Lane Randolph, NJ 07869
Application Number:	Z10-09/10
Project Location:	44 Edmund Street
Block/Lot:	298/9
Amount to be Refunded, plus accrued interest, if applicable:	\$4,245

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.868-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296044, to the following:

Developer's Name & Address:	Drive-in Menlo Park LLC 357 Flatbush Avenue Brooklyn, NY 11234
Application Number:	Z16-09/10
Project Location:	236 Lafayette Avenue
Block/Lot:	691.A/8.J
Amount to be Refunded, plus accrued interest, if applicable:	\$5.13

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.869-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296134, to the following:

Developer's Name & Address:	Syed Shah 23 Lake Drive North Brunswick, NJ 08902
Application Number:	Concept
Project Location:	
Block/Lot:	692/8.B
Amount to be Refunded, plus accrued interest, if applicable:	\$346.25

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.870-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296057, to the following:

Developer's Name & Address:	Rose City Petroleum 11 Dean Street Madison, NJ 07940
Application Number:	Concept
Project Location:	764 New Durham Rd
Block/Lot:	57.B/12
Amount to be Refunded, plus accrued interest, if applicable:	\$350.00

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.871-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296059, to the following:

Developer's Name & Address:	E-Plan LLC 620 Righter Ferry Road Bala Cynwyd, PA 19004
Application Number:	P21-94/95
Project Location:	Parsonage Road
Block/Lot:	688/5.A
Amount to be Refunded, plus accrued interest, if applicable:	\$411.74

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.872-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296071, to the following:

Developer's Name & Address:	Antoun Nader 8 Winchester Drive Scotch Plains, NJ 070876-2723
Application Number:	Z30-09/10
Project Location:	2195 Lincoln Hwy Rt 27
Block/Lot:	124/20.01
Amount to be Refunded, plus accrued interest, if applicable:	\$876.75

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.873-122011

RESOLUTION TO RELEASE ESCROW FUNDS

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release said unused Developers Escrow Fees, under account number 7760296097, to the following:

Developer's Name & Address:	Mary E. Kislán 73 Philo Blvd Edison, NJ 08817
Application Number:	P5131
Project Location:	16 Morris Avenue
Block/Lot:	788/14.01
Amount to be Refunded, plus accrued interest, if applicable:	\$0.14

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

RESOLUTION R.874-122011

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number **STO0000023**, to the following:

Permit Number:	10073
Opening Location:	18 Gales Road
Block/Lot:	1203.A/13
Applicant's Name & Address:	John Burton Plumbing & Heating 400 Amboy Avenue Metuchen, NJ 08840
Initial Deposit Date:	5/20/2011
Deposit Amount:	\$360.00
Paid by and refunded to:	Same as applicant

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of this resolution to the Director of Finance.

RESOLUTION R.875-122011

**RESOLUTION CANCELING OUTSTANDING CHECKS ISSUED
AGAINST THE TOWNSHIP OF EDISON TD BANK CURRENT
ACCOUNT**

WHEREAS, there are carried on the books of the Township of Edison certain old outstanding checks issued against the Township of Edison Current Account held at TD Bank, Account Ending 88816; and

WHEREAS, these checks have not been presented to our depository for payment, nor have any inquiries been made against the Township of Edison; and

WHEREAS, it is the desire of the Township of Edison to clear their records of these old outstanding checks.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Edison hereby declares the listing of outstanding checks, attached hereto, to be cancelled.

BE IT FURTHER RESOLVED that the Township of Edison is hereby authorized and requested to cancel said checks on the records and to transfer the total amount as Revenue to the respective account.

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of this resolution to the Director of Finance.

**TOWNSHIP OF EDISON
BANK NAME: TD BANK
ACCOUNT NAME: CURRENT ACCOUNT
ACCT #: 78550 88816**

<u>Date</u>	<u>Ck Number</u>	<u>Amount</u>
03/29/07	17915	62.09
03/29/07	18013	58.65
05/24/07	18723	100.00
07/12/07	19232	66.74
07/12/07	19315	18.89
08/09/07	19478	37.81
09/13/07	20125	18.00
09/27/07	20360	18.00
10/19/07	20594	7.01
10/19/07	20671	1,393.75
11/09/07	20816	1,325.93
11/09/07	20962	884.38
11/09/07	20986	222.95
12/06/07	21288	4.67
02/21/08	22044	2,052.92
03/06/08	22197	15.04

05/08/08	22895	655.00
05/08/08	23009	270.73
06/30/08	23768	75.00
09/18/08	24435	90.00
10/02/08	24622	169.54
11/06/08	25017	12.98
11/20/08	25293	14.99
12/15/08	25519	25.00
12/18/08	25710	295.89
01/08/09	25812	2,238.95
01/08/09	25826	1,890.88
01/08/09	25827	839.34
01/08/09	25896	2,127.24
01/08/09	25898	2,577.14
05/01/09	27213	20.00
05/01/09	27214	20.00
06/25/09	27864	20.00
09/03/09	28578	13.00
09/17/09	28642	13.00
11/19/09	29445	2,208.95
11/19/09	29446	2,659.96
11/19/09	29474	1,760.18
11/19/09	29476	73.24
11/19/09	29504	2,083.94
Total O/S Checks		\$ 26,441.78

RESOLUTION R.876-122011

WHEREAS, pursuant to N.J.S.A. 54:4.3-30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, Fred Stellingwerf, is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to November 2, 2011; and

WHEREAS, real estate taxes on this property known as Block 265.GG Lot 6.E, 19 Old Post Rd., have been billed for 2011 and the 1st and 2nd quarters of 2012; and the 4th quarter of 2011 has been paid in full; and

WHEREAS, pursuant to N.J.S.A. 54:4-32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

NOW, THEREFOR, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block 265.GG Lot 6.E, assessed to Fred Stellingwerf, be cancelled for the 1st and 2nd quarters of 2012 and also refunded for the time period of November 2, 2011 thru December 31, 2011; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of Fred Stellingwerf for taxes he paid for this time period in the amount of \$1,167.00.

RESOLUTION R.877-122011

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 \$103.96 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.

TOWNSHIP OF EDISON

COUNTY OF MIDDLESEX

RESOLUTION R.878-122011

WHEREAS, the Township of Edison has been approved to receive grant funding in the amount of \$5,000.00 from the State of New Jersey Department of Health and Senior Services Division of Epidemiology, Environmental and Occupational Health; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds available from the State of New Jersey to provide Hepatitis B inoculations to Edison Police, Fire and EMTs; and

WHEREAS, these services provide a significant benefit to the residents of the Township and our Emergency Services Personnel by providing Hepatitis B education and immunizations to those in need of them to help prevent transmission of this blood borne pathogen.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept the funds in connection with said project from the State of New Jersey and make disbursements in accordance with said application for funding and implementation of this Emergency Services Personnel Hepatitis B Education and Vaccination Program.

TOWNSHIP OF EDISON
MUNICIPAL RESOLUTION R.879-122011

WHEREAS, the Edison Department of Health and Human Services, established the Edison Senior Citizen Center over thirty years ago; and

WHEREAS, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local, senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention and screenings; and

WHEREAS, Exxon-Mobil has grant funds available, through its 2012/2013 Community Outreach/Local Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities in which its facilities operate; and

WHEREAS, the Edison Department of Health and Human Services, intends to apply for grant funding for a maximum of \$2,000 from the Exxon-Mobil 2012/2013 Community Outreach/Local Giving Program, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Citizen Center, to apply for grant funding from the 2012/2013 Exxon-Mobil Community Outreach/Local Giving Program; and

WHEREAS, the Edison Department of Health and Human Services, through the Edison Senior Citizen Center, will utilize all grant funds awarded to it by the Exxon-Mobil 2012/2013 Community Outreach/Local Giving Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

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 submission of said grant application, with no requirement for matching funds, at a regularly-scheduled, public meeting on the evening of Wednesday, December 12, 2011.

Explanation: This Resolution authorizes the Township to execute a Deed Restriction to provide for two (2) residential moderate-income rental housing units at 26 Mill Road within the Township of Edison, Middlesex County, in exchange for the release of \$50,000.00 from the Township's Affordable Housing Development Fee Trust Fund to Robert C. Foxx and Steven J. Fox, the owner of the subject property.

EDISON TOWNSHIP

RESOLUTION R.880-122011

WHEREAS, the Township of Edison is desirous to enter into an Affordable Housing Mandatory Deed Restriction for Rental Properties agreement with Robert C. Foxx and Steven J. Fox, the developers/owners of 26 Mill Road for thirty (30) years covering on each of the two (2) apartments located on the property; and

WHEREAS, the restriction placed on the property will provide for two (2) moderate-income rental units of affordable housing towards the satisfaction of the Township's affordable housing requirements; and

WHEREAS, in consideration of the thirty (30) year Deed Restriction placed on each of the two (2) apartments located on the property, the Township of Edison will pay \$25,000 per unit of moderate-income rental housing for a total of \$50,000 out of the Township's Affordable Housing Development Fee Trust Fund to the owners of the property; and

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

1. The Mayor, Township Clerk, Township Attorney, the Township's Administrative Agent, Frank Piazza of Piazza & Associates, and other necessary Township Officials are hereby authorized to execute and deliver the Deed Restriction and all other documents and undertake all actions reasonably necessary to effectuate this approval and authorization of the aforementioned Deed Restriction as authorized by this Resolution.
2. Upon receipt of the executed Deed Restriction the sums of \$25,000 for each of two (2) moderate-income affordable units for a total of \$50,000 are hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "Robert C. Foxx and Steven J. Fox".
3. A certified copy of this Resolution, once adopted, is to be provided to the Municipal Housing Liaison, Susan Peck, the Administrative Agent, Frank Piazza of Piazza & Associates, Inc. and Robert C. Foxx and Steven J. Fox for their records.

Explanation: This Resolution authorizes the Township to execute a Deed Restriction to provide for one (1) residential moderate-income rental housing units at 25-A Knapp Street within the Township of Edison, Middlesex County, in exchange for the release of \$25,000.00 from the Township's Affordable Housing Development Fee Trust Fund to Robert C. Foxx and Steven J. Fox, the owners of the subject property.

EDISON TOWNSHIP

RESOLUTION R.881-122011

WHEREAS, the Township of Edison is desirous to enter into an Affordable Housing Mandatory Deed Restriction for Rental Property agreement with Robert C. Foxx and Steven J. Fox, the developers/owners of 25-A Knapp Street for thirty (30) years covering one (1) apartment located on the property; and

WHEREAS, the restriction placed on the property will provide for one (1) moderate-income rental unit of affordable housing towards the satisfaction of the Township's affordable housing requirements; and

WHEREAS, in consideration of the thirty (30) year Deed Restriction placed on one (1) apartment located on the property, the Township of Edison will pay \$25,000 per unit of moderate-income rental housing for a total of \$25,000 out of the Township's Affordable Housing Development Fee Trust Fund to the owners of the property; and

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

1. The Mayor, Township Clerk, Township Attorney, the Township's Administrative Agent, Frank Piazza of Piazza & Associates, and other necessary Township Officials are hereby authorized to execute and deliver the Deed Restriction and all other documents and undertake all actions reasonably necessary to effectuate this approval and authorization of the aforementioned Deed Restriction as authorized by this Resolution.
2. Upon receipt of the executed Deed Restriction the sums of \$25,000 for each of one (1) moderate-income affordable units for a total of \$25,000 are hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "Robert C. Foxx and Steven J. Fox".
3. A certified copy of this Resolution, once adopted, is to be provided to the Municipal Housing Liaison, Susan Peck, the Administrative Agent, Frank Piazza of Piazza & Associates, Inc. and Robert C. Foxx and Steven J. Fox for their records.

Explanation: This Resolution authorizes the Township to execute a Deed Restriction, in relation to the Market to Affordable Program, to provide for two (2) residential moderate-income rental housing units at 84 Harrigan Street within the Township of Edison, Middlesex County, in exchange for the release of \$50,000.00 from the Township's Affordable Housing Development Fee Trust Fund to Robert C. Foxx and Steven J. Fox, the owners of the subject property.

EDISON TOWNSHIP

RESOLUTION R.882-122011

WHEREAS, the Township of Edison is desirous to enter into an Affordable Housing Mandatory Deed Restriction agreement with Robert C. Foxx and Steven J. Fox, the developers/owners of 84 Harrigan Street for thirty (30) years covering on each of the two (2) apartments located on the property; and

WHEREAS, the restriction placed on the property will provide for two (2) moderate-income rental units of affordable housing towards the satisfaction of the Township's affordable housing requirements; and

WHEREAS, in consideration of the thirty (30) year Deed Restriction placed on each of the two (2) apartments located on the property, the Township of Edison will pay \$25,000 per unit of moderate-income rental housing for a total of \$50,000 out of the Township's Affordable Housing Development Fee Trust Fund to the owners of the property; and

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

1. The Mayor, Township Clerk, Township Attorney, the Township's Administrative Agent, Frank Piazza of Piazza & Associates, and other necessary Township Officials are hereby authorized to execute and deliver the Deed Restriction and all other documents and undertake all actions reasonably necessary to effectuate this approval and authorization of the aforementioned Deed Restriction as authorized by this Resolution.
2. Upon receipt of the executed Deed Restriction the sums of \$25,000 for each of two (2) moderate-income affordable units for a total of \$50,000 are hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "Robert C. Foxx and Steven J. Fox".
3. A certified copy of this Resolution, once adopted, is to be provided to the Municipal Housing Liaison, Susan Peck, the Administrative Agent, Frank Piazza of Piazza & Associates, Inc. and Robert C. Foxx and Steven J. Fox for their records.

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

TOWNSHIP OF EDISON
RESOLUTION R.883-122011

WHEREAS, on April 6, 2011, a Construction (Building) Permit fee, check #9765, permit # 2011-0866, was posted in the total amount of \$310.00 by the contractor, Certified Kitchens, Inc., having offices at 160 Raritan Center Pkwy, Edison, NJ 08837; and

WHEREAS, the application was submitted for alterations to the kitchen at 37 Turner Ave by the hired contractor; Certified Kitchens, Inc., who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$295.00, derived from the \$310.00 total construction permit fee less the \$15.00 DCA fee, be refunded to the Homeowner Ellen Rosenberg, residing at 37 Turner Ave, Edison, NJ 08820; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0866, in the amount of \$295.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$295.00 on construction permit fees posted by Certified Kitchens, Inc., for 37 Turner Ave be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$295.00 from the Refund of Revenue Fund to the Edison Homeowner, Ellen Rosenberg, 37 Turner Ave, Edison, NJ 08820.

RESOLUTION R.884-122011

WHEREAS, the Township Engineer advises that an inspection has been made of J & M Self Storage, located at 1939 Oak Tree Road in Block: 557-EE and Lots: 2G1, 3H1, 3F2 & 3G1, Application #Z31-06/07, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on June 17, 2009, J & M Self Storage, Inc. posted a Maintenance Bond Check #9333 in the amount of \$26,342.55, 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 \$26,342.55, plus interest, if applicable, on deposit with the Township of Edison in Account #7760013386, principal being J & M Self Storage, Inc. having offices at 1939 Oak Tree 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 Maintenance Bond in the amount of \$26,342.55, plus interest, if applicable, 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 \$26,342.55, plus interest, if applicable, to the applicant.

RESOLUTION R.885-122011

WHEREAS, the Township Engineer advises that an inspection has been made of 1564-1566 Lincoln Hwy, Application #Z29-04/05 located in Block 381, Lots, 7A, 8A, 10A, 11, 47, 48 & 49, Block 382, Lot 12 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 was issued on October 6, 2011, also, on November 22, 2011 the Maintenance Bond was posted by Ferrante Landmark LLC in the amount of \$13,145.25: and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Letter of Credit #18109953-00-000 of PNC Bank in the amount of \$105,162.00, principal being Ferrante Landmark LLC and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond Letter of Credit #18109953-00-000 in the amount of \$105,162.00, with the Township of Edison, principal being Ferrante Landmark LLC having offices at 185 Marshall-Woodsville Rd., Pennington, N.J. 08534 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 \$105,162.00, 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 Performance Bond in the amount of \$105,162.00, to the applicant

EXPLANATION: This resolution provides for Township acceptance of the constructed improvements under Contract No. 11-29-01: Jennifer Court Sanitary Sewer Rehabilitation, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$12,809.70 to EnTech Corporation, for a total construction contract as-built cost of \$89,161.50.

**TOWNSHIP OF EDISON
RESOLUTION R.886-122011**

WHEREAS, EnTech Corporation, 91 Ruckman Road, Closter, NJ 07624, was awarded a construction contract through resolution R.451-062011 on June 8, 2011 (& purchase order # 11-03762) in an amount not to exceed \$94,712.50 for Contract No. 11-29-01: Jennifer Court Sanitary Sewer Rehabilitation, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, the Township Engineer has reviewed the completed contract work with the Director of Public Works; and

WHEREAS, the Township Engineer certifies that the construction work has been completed, and states that a two-year maintenance bond, effective from October 3, 2011, in an amount equivalent to 100% of the final as-built construction costs of \$89,161.50 has been received by the Township of Edison, and the Township Engineer therefore recommends project acceptance, release of the performance bond, and that final payment, including retainage, be made to EnTech Corporation, in an amount not to exceed \$12,809.70 for a total construction contract as-built cost of \$89,161.50, resulting in a reduction of \$5,551.00 from the previously established total contract ceiling amount of \$94,712.50, which is the original bid amount.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Contract No. 11-29-01: Jennifer Court Sanitary Sewer Rehabilitation is deemed accepted by the Township of Edison, subject to the provisions of the maintenance bond, and that the performance bond shall be released, and that final payment, including retainage, shall be made to EnTech Corporation, in an amount not to exceed \$12,809.70, for a total construction contract as-built cost of \$89,161.50, and that the remaining contract balance of \$5,551.00 is deducted from the contract and is to be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

RESOLUTION R.887-122011

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
PATRICIA ESTRELLA FOR THE ABC PROGRAM**

WHEREAS Patricia Estrella, in partnership with Community Child Care Solutions, made co-payments in the amount of \$158.52 for her child Felix Estrella's participation in the ABC Program at Ben Franklin Elementary School; and

WHEREAS Community Child Care Solutions submitted monthly payments in the full amount due for Felix Estrella's participation in the ABC Program; thereby causing an overpayment by Patricia Estrella.

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 \$158.52 to Patricia Estrella, 33 Stevens Rd., Edison, NJ 08817, which amount represents the overpayment for the ABC program.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
JANAK PATEL FOR THE ABC PROGRAM**

WHEREAS Janak Patel made payment in the amount of \$150.00 for his child Diya Kumar's participation in the ABC Program at Martin Luther King Elementary School; and

WHEREAS Janak Patel made payment in advance for the month of November but removed the child prior to November.

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 Janak Patel, 11 Old Hickory Lane, Edison, NJ 08820, which amount represents the monthly fee for the ABC Program.

RESOLUTION R.889-122011

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT SOFTBALL TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

WHEREAS, the ordinance further states that a "Good Standing Refund" in the amount of \$100.00 shall be made payable to each team finishing the co-ed softball season in good standing with the league, and

WHEREAS, fees in the amount of \$700.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

WHEREAS, the below listed co-ed adult softball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>	<u>REFUND NAME</u>	<u>TEAM</u>
John Tierney	GABRIELLE'S	Jack Miranda	JFK
David Ricks	BOFS	Randy Braun	THE AVENGERS
Robert Medina	ROOSEVELT REDS	Christopher Pelletier	JUST ONE
Anne Amato	AMATO PRESERVATION		

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

RESOLUTION R.890-122011

BE IT RESOLVED, that the Re-Organization Meeting of the Municipal Council of the Township of Edison will be held on January 1, 2012 at 12:00 p.m. at the Township of Edison Municipal Complex, 100 Municipal Boulevard, Edison, New Jersey.

EXPLANATION: This Resolution authorizes the closure of Tingley Lane for the period of on or about Tuesday, December 13, 2011, through on or about Friday, December 16, 2011.

**TOWNSHIP OF EDISON
RESOLUTION R.891-122011**

WHEREAS, the Township of Edison (the “Township”) as a result of an emergency railroad grade crossing repair by CONRAIL will need to close a portion of Tingley Lane on or about Tuesday, December 13, 2011 at 8:00 AM Eastern Time, through on or about Friday, December 16, 2011 at 4:30 PM Eastern Time, for the purpose of CONRAIL repairing the Railroad Grade Crossing at the intersection of Tingley Lane and the CONRAIL train tracks; and

WHEREAS, a traffic detour plan which depicts (i) the detour route for the closure of Tingley Lane and (ii) the area of Tingley Lane to be closed for the required repair work to the Railroad Grade Crossing (the “Detour Plan”), a copy of which Detour Plan is attached hereto and made a part hereof; and

WHEREAS, the Detour Plan is identical to the detour plan previously approved by Edison Police for the construction of a Quiet Zone with Safe Grade Crossing; and

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

1. That a portion of Tingley Lane as depicted on the Detour Plan is hereby closed from on or about Tuesday, December 13, 2011 at 8:00 AM Eastern Time, through on or about Friday, December 16, 2011 at 4:30 PM Eastern Time, for the purpose of CONRAIL repairing the Railroad Grade Crossing at the intersection of Tingley Lane and the CONRAIL train tracks.
2. The Township shall notify affected residents of the temporary closure of Tingley Lane by posting said notice on the Township website, and the Division of Police shall implement the Detour Plan and inspect the signage to be installed by CONRAIL, and to assist residents relative to said temporary emergency road closure.
3. Upon adoption of this Resolution, the Township Clerk shall forward a certified copy of said Resolution to (i) Timothy Tierney, Vice President / Chief Engineer, CONRAIL, 1000 Howard Boulevard, 4th Floor, Mount Laurel, NJ 08054-2355, (ii) James S. Simpson, Commissioner, Department of Transportation, P.O. Box 600, Trenton, NJ 08625-0600; and (iv) the principals of the following local schools: (a) Martin Luther King Elementary School; (b) Bishop Ahr; (c) Wardlaw Hartridge School, and (d) to the Superintendent of the Edison Township Board of Education.

RESOLUTION R.892-122011

WHEREAS, Edison Township public schools ranks among the highest performing school systems both nationally and in the State of New Jersey reflected in our national and statewide recognition for student academic achievement and in advanced placement performance, as well as award winning co-curricular and musical competitions in which students compete at the highest level, providing a free education to all children living in the public school district in the most diverse school district in the state; and

WHEREAS, a strong public school district helps keep property values stable and strong, which, in turn, provides a foundation from which a vibrant and engaged community can flourish; and

WHEREAS, the Municipal Council wishes to maintain, in every way possible, a healthy, vibrant community; and

WHEREAS, charter schools can seriously adversely affect the financial and educational quality of high performance public school districts like Edison; and

WHEREAS, the Municipal Council supports S2243 and A3852 which would amend the current NJ charter school law by allowing local control over the establishment or expansion of a charter school that would draw students from the district since such establishment or expansion could have a significant adverse impact on the future of the public schools; and

WHEREAS, the Municipal Council is aware that an application to establish a new charter school by the name of Tikun Olam Hebrew Language Charter High School (Tikun Olam) that would draw from the Edison Township Public Schools was filed with the New Jersey Department of Education (NJDOE); and

WHEREAS, because of the significant and likely adverse impact that another charter school drawing from the Edison Township Public Schools would have on the current high educational quality of Edison Township Public Schools which they see as a backbone of a health community, the Municipal Council wishes to memorialize their position opposing the establishment of Tikun Olam since its approval could mean diversion of additional finances from an already strained school budget.

NOW, THEREFORE, BE IT RESOLVED, that, for the reasons stated above the Municipal Council of the Township of Edison hereby officially opposes the approval of Tikun Olam and urge the NJDOE to deny the application.

BE IT FURTHER RESOLVED, that they also urge the NJDOE to support the charter school reform legislation (namely, S2243 in the NJ Senate, and A3852 in the NJ Assembly) that will provide local control of new or expanded charter schools in highly performing districts like Edison Township where new charter schools are highly likely to worsen, not improve, the quality of public education in the district.

Explanation: This Resolution increases the permissible expenditures for the Professional Services Contract awarded to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney.

RESOLUTION R.893-122011

WHEREAS, by Resolution R.637-082011 adopted on August 24, 2011 the Township of Edison awarded a contract to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney; and

WHEREAS, that and subsequent Resolutions approved expenditures for this Contract not to exceed \$235,000.00; and

WHEREAS, due to the nature and volume of work this Contract needs to be increased to approve additional expenditures of \$203,269.00 for work already undertaken and for an amount estimated through the end of the 2011 calendar year; and

WHEREAS, all other terms and conditions of the prior Resolutions shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, County of Middlesex, and State of New Jersey, that the authorized amount of this Contract is hereby increased by \$203,269.00.