

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, February 7, 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 December 10, 2009, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
 - a. Combined Meeting of December 20, 2010
 - b. Worksession Meeting of January 10, 2011
6. **ADMINISTRATIVE AGENDA:**

FROM MAYOR ANTONIA RICIGLIANO:

 - a. Appointments to the Fair Rental Housing Board
 - b. Appointment to the Library Board of Trustees
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through February 24, 2010
 - b. Resolution authorizing refund in the amount of \$237,786.83 for redemption of tax sale certificates.
 - c. Resolution authorizing refund of tax overpayments, totaling \$15,742.22
 - d. Resolution authorizing Temporary Appropriations
 - e. Amendment to Professional Services contract for Township Auditor
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Engineering Inspection Fee Refund for Western Avenue/Maximum and Co., Western Avenue.
 - b. Resolution authorizing Engineer to execute treatment works approval and temporary discharge approval
 - c. Resolution authorizing Engineer to execute FEMA documents
 - d. Resolution establishing in house rates
 - e. Ordinance accepting a Sight Triangle Easement at the property located at 49 Christie Street from Fox and Foxx Development
 - f. Bond Reduction for Alfieri Office Tower, 399, 479, 499 Thornall street, Application #P16-00/01
 - g. Engineering inspection fee refund for Suburban Real Estate Dev. Corp., 9 Brook Avenue, Application #P5016
 - h. Engineering Inspection Fee Refund for Wick Companies, LLC, 110 & 136 Talmadge Road, Application #Z19-04/05
 - i. Release of cash and performance bond for Wick Companies, LLC, 110 & 136 Talmadge Road, Application #Z19-04/05
 - j. Engineering Inspection Fee Refund for Onyx Management Group, LLC, (Children of America Day Care), Municipal Boulevard and Hoey Drive, Application #Z02-07/08 and Z5112.
 - k. Tree Maintenance Bond Refund for Onyx Management Group, LLC, (Children of American Day Care), Municipal Boulevard and Hoey Drive, Permit #08-115.

- l. Release of cash and performance bond for Onyx Management Group. LLC, (Children of America Day Care), Municipal Boulevard & Hoey Drive, Application #Z02-07/08 & Z5112.
 - m. Final Acceptance of Contract No. 09-19-01, Edison Jets Football Field Renovation
11. **FROM THE DIRECTOR OF PUBLIC WORKS:**
- a. Award of bid for Contract No. 10-06-26, Emergency Traffic Signal Repairs
 - b. Award of bid for Contract No. 10-08-25, Sewer Pump and Generator Rentals
12. **FROM THE CHIEF OF FIRE:**
- a. Approval of volunteer firefighters
 - b. Award of bid for Contract No. 10-01-29, Uniforms and Equipment – Fire Department and EMT
13. **FROM THE TOWNSHIP CLERK:**
- a. Award of non fair and open contract for Township Auditor
14. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
15. **COMMUNICATIONS:**
- a. Electronic Mail Message from Bimal Joshi regarding snow removal - receive
16. **DISCUSSION ITEMS:**
- Council President Diehl**
- a. Appointment of Councilmember to the Planning Board and Housing Authority
- Councilmember Gomez**
None
- Councilmember Karabinchak**
- a. Tax Appeals
 - a. Resolution regarding Educational Funding
 - b. Oak Tree and Woodland Intersection
 - c. Gurley and Woodbridge Intersection
 - d. Police Hiring Ordinance
 - e. Creation of a parking authority
 - f. Expanding Edison TV
- Councilmember Lankey**
None
- Councilmember Mascola**
None
- Councilmember Perilstein**
None
- Councilmember Prasad**
None
17. **CLOSED SESSION:**
None
18. **ADJOURNMENT**

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 \$237,786.83.

February 9, 2011

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 \$15,742.22 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.

February 9, 2011

**RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS
FOR CALENDAR YEAR 2011**

WHEREAS, N.J.S.A. 40A:4-19 requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, the Division of Local Government Services has extended the normal budget deadlines by thirty days and has advised that the period for normal temporary appropriations has been extended by an additional 30 days; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison in the County of Middlesex, New Jersey that the temporary appropriations on the annexed spread sheet consisting of five (5) pages be made.

CY
2011

| CURRENT FUND | | | |
|---------------------------------------|--|--------------------|----|
| Office of the Mayor | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Municipal Council | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Ethics Commission | | | \$ |
| Office of the Township Clerk | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Office of the Business Administrator | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Communications | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Division of Central Purchases | | Salaries and Wages | \$ |
| Postage | | Other Expenses | \$ |
| Centralized Stores | | Other Expenses | \$ |
| Miscellaneous | | Other Expenses | \$ |
| Division of Personnel | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Department of Law | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Department of Finance | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Division of Accounts and Controls | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Data Processing | | Other Expenses | \$ |
| Division of Custody and Disbursements | | Salaries & Wages | \$ |
| | | Other Expenses | \$ |
| Division of Tax Collection | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Division of Tax Assessment | | Salaries and Wages | \$ |
| | | Other Expenses | \$ |
| Legal Tax Appeals | | Other Expenses | \$ |
| Department of Recreation and Parks | | Salaries and Wages | \$ |

| | | | |
|--|--------------------|----|---|
| | Other Expenses | \$ | |
| Telephone | | | |
| | Other Expenses | \$ | |
| Heat, Light and Power | | | |
| | Other Expenses | \$ | |
| Division of Parks | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Department of Health | | | |
| Division of Health | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Division of Human Resources | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Division of Senior Citizen Services | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Community Shuttle | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Bridges Youth Program | | | |
| | Other Expenses | \$ | |
| Division of Police | | | |
| | Salaries and Wages | \$ | 3 |
| | Other Expenses | \$ | |
| Emergency Dispatch | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Police Vehicle Maintenance | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Uniform Fire Safety Act | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Division of Fire | | | |
| | Salaries and Wages | \$ | 2 |
| | Other Expenses | \$ | |
| Fire Hydrant Services | | | |
| | Other Expenses | \$ | |
| Aid to Volunteer Fire Companies | | | |
| | Other Expenses | | |
| Department of Public Works | | | |
| Municipal Garage | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Vehicle Impound Area | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Fuels and Lubricants for Municipal Equipment | | | |
| | Other Expenses | \$ | |
| Street Lighting | | | |
| | Other Expenses | \$ | |
| Division of Streets | | | |
| | Salaries and Wages | \$ | |

| | | | |
|--|--------------------|----|---|
| | Other Expenses | \$ | |
| Division of Public Buildings | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Division of Sanitation | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Public Defender | | | |
| | Salary and Wages | \$ | |
| | Other Expenses | \$ | |
| Department of Planning and Engineering | | | |
| Division of Planning and Zoning | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Community Development | | | |
| | Salaries and Wages | \$ | |
| Planning Board | | | |
| | Other Expenses | \$ | |
| Zoning Board | | | |
| | Other Expenses | \$ | |
| Rent Control Board | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Environmental Commission | | | |
| | Other Expenses | | |
| Division of Engineering | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Group Insurance | | | |
| | Other Expenses | \$ | 2 |
| Other Insurance and Surety Bonds | | | |
| | Other Expenses | \$ | 1 |
| First Aid Organizations | | | |
| | Other Expenses | \$ | |
| Office of Emergency Management | | | |
| | Other Expenses | \$ | |
| Condominium Services | | | |
| | Other Expenses | | |
| Employees' Unemployment Insurance | | | |
| | Other Expenses | \$ | |
| Celebration of Public Events | | | |
| | Other Expenses | \$ | |
| Municipal Court | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Uniform Construction Code | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| Social Security | | | |
| | Other Expenses | \$ | |
| Library | | | |
| | Other Expenses | \$ | |
| Division of Fire EMT Services | | | |
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |

| | | | |
|-----------------------------|--------------|----|----|
| EECBG | | \$ | |
| Municipal Alliance | | \$ | |
| Clean Communities | | \$ | |
| Payment of Bond Principal | | | |
| Interest on Bonds | | | |
| Green Trust Loan Program | | | |
| MCIA Capital Lease Payments | | | |
| NJEIT Loan | | | |
| | TOTAL | \$ | 15 |

SEWER UTILITY FUND

| | | | |
|--|--|----|---|
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| | Middlesex County Utility Authority Charges | \$ | |
| | Social Security | \$ | |
| | TOTAL | \$ | 1 |

SANITATION FUND

| | | | |
|--|--------------------|----|---|
| | Salaries and Wages | \$ | |
| | Other Expenses | \$ | |
| | Social Security | \$ | |
| | Disposal Fees | \$ | |
| | TOTAL | \$ | 1 |

DATED: February 9, 2009

RESOLUTION AMENDING RESOLUTION R.157-03010 AWARDED A CONTRACT FOR PROFESSIONAL AUDITING SERVICES TO HODULIK AND MORRISON, P.A. FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2010.

WHEREAS, the Municipal Council of the Township of Edison adopted Resolution R.157-032010 on March 24, 2010 to retain Hodulik and Morrison, P.A., to provide auditing services for the Township for the Calendar Year ending on December 31, 2010; and

WHEREAS, the award of the contract did not include costs for services to be performed by the auditor beyond the scope of audit of the Municipal budgets and the cost of services necessary to assist the Township with the issuance of capital instruments; and

WHEREAS, the auditor's representation and engagement proposal included the necessity of performing an audit of the BPU mandated Municipal Landfill closure fund and hourly charges for extra work required in his engagement with the Township; and

WHEREAS, the Township budgeted \$115,000 for auditing services in the 2010 budget and the Township anticipates charges in addition to the \$105,000 amount originally certified in R.157-032010.

NOW THEREFORE IT IS RESOLVED by the Council of the Township of Edison in the County of Middlesex, New Jersey that the original amount approved for this contract with Hodulik and Morrison, P.A., 1102 Raritan Avenue, Highland Park, N.J. 08904 is increased to a total amount not to exceed \$115,000..

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of Western Avenue, located in Block: 276-E, Lot: 14A, 15A, 16 & 20, Application # None; and

WHEREAS, the Cash Performance Bond and the Performance Bond were released on April 8, 2009, Resolution #R.280-042009; and

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

WHEREAS, Maximum & Co. L.P. posted inspection fees in the amount of \$8,541.02 on deposit with the Township of Edison in account #7200025102 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 \$8,541.02; and

WHEREAS, it is in now in order that account #7200025102 is now a zero balance; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON **that account #7200025102 is now a zero balance, therefore no money shall be returned to Maximum & Co. L.P. and the account can now be closed out; and**

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to close out account #7200025102.

JAM/kjw

S-Karen-RetResoInspFeeRefund-WesternAve-Maximum&Co

EXPLANATION: This Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.

**TOWNSHIP OF EDISON
RESOLUTION**

WHEREAS, under certain parameters promulgated by the New Jersey Department of Environmental Protection (NJDEP), it is necessary that an application be submitted with Township endorsement to the aforesaid agency for treatment works approvals and/or extensions to the Edison Township sanitary sewer system; and

WHEREAS, pursuant to New Jersey Statutes, it is a requirement that the applicants gain approval of the aforementioned Edison Township sanitary sewer system extension from the Middlesex County Utilities Authority (MCUA) and the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the required approval for the Edison Township sanitary sewer system extensions, and/or temporary discharges to the Edison Township sanitary sewer system, will not be approved unless the applications bear the signature of the Edison Township Engineer, John A. Medina, P.E., to indicate his approval;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Edison Township Engineer, John A. Medina, P.E., be and is hereby authorized to sign the required applications for treatment works approval (TWA) for extensions to the Edison Township sanitary sewer system, and for applications for temporary discharge approval (TDA), as the case may be, for submission to the Middlesex County Utilities Authority (MCUA) and/or the New Jersey Department of Environmental Protection.

EXPLANATION: This Resolution authorizes the Township Engineer to execute transportation, environmental, and other regulatory permit applications on behalf of the Township of Edison. This resolution also establishes the Township Engineer as the “Community Official” responsible for floodplain management under the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) National Flood Insurance Program.

**TOWNSHIP OF EDISON
RESOLUTION**

BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that Edison Township Engineer, John A. Medina, P.E., is hereby authorized to prepare and execute as may be necessary on behalf of the Township of Edison, any and all, transportation, environmental, and other regulatory permit applications required to be issued by federal, state, county, regulatory body or entity (including but not limited to permit applications under the NJDEP, the NJDOT, the FSCD, and/or the County of Middlesex); and

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that Edison Township Engineer, John A. Medina, P.E., is also designated as the Community Official responsible for floodplain management under the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) National Flood Insurance Program, and is hereby authorized to sign and execute such Community Acknowledgement Forms, certifications, and prepare FEMA applications, as may be deemed necessary pursuant to the National Flood Insurance Program, on behalf of the Township of Edison.

EXPLANATION: This Resolution establishes the hourly rates to be charged for in-house review of applications for development, review and preparation of documents, inspection of improvements, or other applicable charges made under N.J.S.A. 40:55D-53.2(a).

**TOWNSHIP OF EDISON
RESOLUTION**

BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that in accordance with Section 53.2(a) of the Municipal Land Use Law, (the "MLUL"), the attached 2011 Engineering Escrow Fee Schedule establishing the hourly rates to be charged for in-house review of applications for development, review and preparation of documents, inspection of improvements, or other charges authorized by the MLUL is hereby approved.

BE IT FURTHER RESOLVED, that the Township Engineer shall maintain the 2011 Engineering Escrow Fee Schedule hereby established and shall transmit updates or revisions to the 2011 Fee Schedule to the Township Clerk should updates or revisions become necessary during the course of the calendar year 2011.

Explanation: This Ordinance authorizes the Township of Edison to accept a Sight Triangle Easement at the property located at 49 Christie Street from Fox and Foxx Development.

EDISON TOWNSHIP

ORDINANCE

WHEREAS, Fox and Foxx Development, LLC (“Grantor”) obtained an approval from the Edison Township Planning Board (“Planning Board”) by Resolution dated October 18, 2010 for the re-subdivision of Lots 5, 6 and 7 in Block 666 which created new Lots 5.01 and 7.01 (“Approval”); and,

WHEREAS, the Approval required the Grantor to provide to the Township of Edison (“Grantee”) a certain Sight Triangle Easement affecting portion of new Lot 7.01 in Block 666 which located in the southerly corner of the intersection of Christie Street and Jersey Avenue; and,

WHEREAS, the Township Council of the Township of Edison, desires to accept the above described Sight Triangle Easement; and,

WHEREAS, the purpose of this conveyance is to satisfy the conditions of preliminary and final minor subdivision approval, as set forth in the Planning Board’s Approval; and,

WHEREAS, the Township Attorney has reviewed and approves the above Sight Triangle 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 above Sight Triangle Easement and conveyance 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).

RESOLUTION

WHEREAS, M. Alfieri Co., Inc. posted a Performance Bond #1012881 posted on September 15, 2006 of Lexon Insurance Company, in the amount of \$2,017,522.62, to guarantee the installation of improvements for the project known as Alfieri Office Tower located in Block: 676 and Lots: 2-B-1 & 2-B-4 and designated Application #P16-00/01; and

WHEREAS, a Cash Performance Bond check #371754202 was posted on September 15, 2006 by M. Alfieri Co., Inc. in the amount of \$224,169.18, on deposit in account #7760013286; and

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

WHEREAS, it is the recommendation of the Township Engineer that the Performance Bond be reduced by 45% from \$2,017,522.62 to \$1,109,637.44, or 55% of the original amount; therefore refunding the amount of \$907,885.18.

WHEREAS, it is further the recommendation of the Township Engineer that the Cash Performance Bond check #371754202, be reduced by 45%, from \$224,169.18 to \$123,293.04, or 55% of the original amount, therefore refunding the amount of \$100,876.14, 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 \$1,109,637.44, 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 \$100,876.14, plus accrued interest, if applicable on deposit in Account #7760013286 to M. Alfieri Co., Inc. having offices at 399 Thornall Street, Edison, N.J. 08837 with the sum of \$123,293.04 remaining on deposit until such time as Final Acceptance is granted.

S:Eng-Karen-Reso-BondRed-AlfieriOfficeTower-ThornallSt

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of Suburban Real Estate Dev. Corp. located at 9 Brook Ave in Block: 1011, Lot: 15, Application #P5016; and

WHEREAS, the Cash Performance and Performance Bond were released on December 11, 2003, Reso #633-122003; and

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

WHEREAS, on April 4, 2003, Suburban Real Estate Dev. Corp., posted a check #7102 in the amount of \$618.60 on deposit with the Township of Edison in account #7200024880 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 \$605.44; and

WHEREAS, it is in now in order that the sum of \$13.16, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Suburban Real Estate Dev.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$13.16, plus accrued interest, if applicable, be refunded to Suburban Real Estate Dev. Corp. having offices at 228-A Pierson Avenue, Edison, N.J. 08837; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$13.16, plus accrued interest, if applicable, in account #7200024880 to the applicant.

JAM/kjw

S-Karen-RetResoInspFeeRefund-SuburbanRealEst-9BrookAve

RESOLUTION

WHEREAS, the Township Engineer advises that a final inspection was done of Wick Companies LLC located at 110 & 136 Talmadge Road in Block: 22, Lot: 5A, 6A, 12A3 & 11B1, Application #Z19-04/05; and

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

WHEREAS, on June 29, 2005, 30 Van Dyke Avenue Urban Renewal, LLC, posted a check #1496 in the amount of \$30,671.22 on deposit with the Township of Edison in account #7200025074 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 \$20,321.65; and

WHEREAS, it is in now in order that the sum of \$10,349.57, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to 30 Van Dyke Avenue Urban Renewal, LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$10,349.57, plus accrued interest, if applicable, be refunded to 30 Van Dyke Avenue Urban Renewal, LLC having offices at 100 Woodbridge Center Drive, Woodbridge, N.J. 07095; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$10,349.57, plus accrued interest, if applicable, in account #7200025074 to the applicant.

JAM/kjw

S-Karen-RetResoInspFeeRefund-WickCo-110&136TalmadgeRd

RESOLUTION

WHEREAS, the Township Engineer advises that an inspection has been made of Wick Companies LLC located at 110 & 136 Talmadge Road in Block #22 Lots: 5A, 6A, 12A3 & 11B1, Application #Z19-04/05 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, Since the project has extended beyond the (2) two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, a Cash Performance Bond Check#293401194 was posted on June 29, 2005 by 30 Van Dyke Avenue Urban Renewal, LLC in the amount of \$73,610.94 on deposit in Account #7760013255; and

WHEREAS, a Cash Performance Bond Reduction was posted on July 18, 2006, Resolution #384-082006 reducing the Cash Performance Bond to \$31,652.70; and

WHEREAS, a Performance Bond Irrevocable Standby Letter of Credit #SM214540W was posted on July 13, 2005 by 30 Van Dyke Avenue Urban Renewal, LLC in the amount of \$662,498.46; and

WHEREAS, a Performance Bond Reduction was posted on July 18, 2006, Resolution #384-082006 reducing the Performance Bond to \$284,874.34; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$31,652.70 plus accrued interest, if applicable, on deposit in account #7760013255 principal being 30 Van Dyke Avenue Urban Renewal, LLC, having offices at 100 Woodbridge Center Drive, Woodbridge, N.J. 07095 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction in the amount of \$284,874.34; 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 Irrevocable Letter of Credit in the amount of \$284,874.34, 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 \$31,652.70, plus accrued interest if applicable on deposit in account #7760013255 to the applicant.

RESOLUTION

WHEREAS, the Township Engineer advises that we have received a written request from Onyx Management Group, LLC (Children of America Day Care), Application #Z02-07/08-Z5112 located at Municipal Boulevard and Hoey Drive in Block: 123, Lot: 11-G that they have abandoned the project which never began and they are now requesting the refund of the Inspection Fees posted on September 9, 2008; and

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

WHEREAS, on September 9, 2008, Edison Square Limited Partnership, LLC c/o Onyx Management Group, LLC, posted a check #622-19636 in the amount of \$8,076.80, on deposit with the Township of Edison in account #7760295966 for engineering fees; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$8,076.80, plus accrued interest, if applicable, be refunded to Edison Square Limited Partnership c/o Onyx Management Group, LLC having offices at 900 Route 9 North, Suite 301, Woodbridge, N.J. 07095; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$8,076.80 plus accrued interest, if applicable, in account #7760295966 to the applicant.

JAM/kjw

S-Karen-RetResoInspFee-OnyxMgmt-ChildrenofAmerica

RESOLUTION

WHEREAS, Edison Square Limited Partnership c/o Onyx Management Group, LLC posted a Tree Maintenance Bond check #622-19653 in the amount of \$2,700.00, principal being Edison Square Limited Partnership to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-115 located at Municipal Blvd. & Hoey Drive, Block: 123 and Lot: 11-G; and

WHEREAS, a Tree Maintenance Bond was posted on September 12, 2008 in the amount of \$2,700.00, on deposit in account #7760275079; and

WHEREAS, the Township Engineer has received a written request from Edison Square Limited Partnership c/o Onyx Management Group, LLC that they have abandoned the project which never began, and now request the release of the Tree Maintenance Bond; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount of \$2,700.00, plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,700.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$2,700.00, plus accrued interest, if applicable, on deposit in Account #7760275079 to Edison Square Limited Partnership, LLC c/o Onyx Management Group, LLC having offices at 900 Route 9, North, Suite 301, Woodbridge, N.J. 07095.

RESOLUTION

WHEREAS, the Township Engineer advises that we have received a written request from Edison Square Limited Partnership c/o Onyx Management Group, LLC, Application #Z02-07/08-Z5112 located at Municipal Boulevard and Hoey Drive in Block: 123 and Lot: 11-G that they have abandoned the project which never began, and they are now requesting the release of the Cash Performance Bond and Performance Bond posted on September 9, 2008; and

WHEREAS, the Township Engineer therefore recommends the release of the Performance Bond check #622-19638 in the amount of \$174,458.88, on deposit in account #7760013352 with the Township of Edison, principal being Edison Square Limited Partnership c/o Onyx Management Group, LLC; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond, Check #622-19637 in the amount of \$19,384.32, on deposit in account #7760013352 with the Township of Edison, principal being Edison Square Limited Partnership c/o Onyx Management Group, LLC, having offices at 900 Route 9 North, Suite 301, Woodbridge, N.J. 07095; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of 174,458.88 and the Cash Performance Bond in the amount of 19,384.32, plus accrued interest if applicable, on deposit in account #7760013352 to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$19,384.32, and the Performance Bond in the amount of 174,458.88 plus accrued interest if applicable, on deposit in account #7760013352 to the applicant.

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Contract # 09-19-01: Edison Jets Football Field Renovation, at Papaianni Park, Township of Edison, Middlesex County, NJ, and this resolution also authorizes listed Change Orders and Final Contract Payment to Zenith Construction Services, Inc., for a total final construction contract as-built cost of \$462,331.00.

TOWNSHIP OF EDISON

RESOLUTION

WHEREAS, Zenith Construction Services, Inc., 256 Grant Avenue East, Newark, NJ 07029-2714, was awarded construction contract # 09-19-01 on March 25, 2009 (resolution R.180-032009, and purchase order # 09-05284) in an amount not to exceed \$418,842.00, for the Edison Jets Football Field Renovation, at Papaianni Park, Township of Edison, Middlesex County, New Jersey.

WHEREAS, the Township Engineer has deemed that construction change orders became necessary during the course of the work, and recommends authorization for change order # 1 in the amount of \$13,500.00 for new underground sprinkler lines, change order # 2 in the amount of \$11,823.00 for fence revisions, change order # 3 in the amount of \$12,100.00 for roof soffits and fascia work, plus change order # 4, the net plus adjustment of \$6,066.00 based on the as-built field measurements of contract item quantities, resulting in a cumulative **total (plus) change order in an amount of \$43,489.00** (or 10.38% over the original bid amount); and

WHEREAS, the Township Engineer has reviewed the project and certifies that the construction work under the contract has been completed, and states that a two-year maintenance bond, effective from June 30, 2010 in the amount of 100% of the final construction contract cost of \$462,331.00 has been received by the Township of Edison, and recommends project acceptance and that change order payments (\$43,489.00) plus a final retainage payment (\$8,376.84) be made to Zenith Construction Services, Inc., in a total amount not to exceed \$51,865.84 for a total construction contract as-built cost of \$462,331.00.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the Edison Jets Football Field Renovation, at Papaianni Park, Township of Edison, Middlesex County, NJ, is deemed accepted by the Township of Edison, subject to all maintenance bond provisions, and that the listed change orders are hereby approved, and that change order payments plus a final retainage payment shall be made to Zenith Construction Services, Inc., 256 Grant Avenue East, Newark, NJ 07029-2714, in a total amount not to exceed \$51,865.84 for a total construction contract as-built cost of \$462,331.00 for Contract # 09-19-01: Edison Jets Football Field Renovation, at Papaianni Park, Township of Edison, Middlesex County, New Jersey.

CFO CERTIFICATION OF FUNDS:

I hereby certify that funding for the above listed change orders in the total amount of \$43,489.00 is available under funds combination of the following accounts:

Account number G-02-08-0195-775-000 in the amount of \$267.76, plus

Account number C-04-08-1616-165-452 in the amount of \$43,221.24.

Lawrence P. Pollex
Acting Chief Financial Officer

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO JEN ELECTRIC, INC.
FOR EMERGENCY TRAFFIC SIGNAL REPAIRS**

WHEREAS, bids were received by the Township of Edison on December 14, 2010 for Public Bid No. 10-06-26, Emergency Traffic Signal Repairs for the Department of Public Works; and

WHEREAS, JEN ELECTRIC, INC., 631 Morris Avenue, Springfield, NJ 07081, submitted the lowest legally responsible, responsive bid; and

WHEREAS, funds in the amount of \$50,000.00 have been certified to be available in the Streets and Other Contractual Items Account, Number 1-01-26-0290-000-029, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 submitted by JEN ELECTRIC, INC., 631 Morris Avenue, Springfield, NJ 07081 for Emergency Traffic Signal Repairs for the Department of Public Works, 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 \$50,000.00, and any other necessary documents, with JEN ELECTRIC, INC as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$50,000.00** are available for the above contract in Account No. **1-01-26-0290-000-029**, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

Lawrence Pollex
Acting Chief Financial Officer

Date _____

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO GODWIN PUMPS OF AMERICA, INC. FOR SEWER PUMP AND GENERATOR RENTALS

WHEREAS, bids were received by the Township of Edison on December 22, 2010 for Public Bid No. 10-08-25, Sewer Pump and Generator Rentals, for the Department of Public Works; and

WHEREAS, GODWIN PUMPS OF AMERICA, INC., 84 Floodgate Road, Bridgeport, NJ 08014, submitted the lowest legally responsible, responsive bid; and

WHEREAS, funds in the amount of \$75,000.00 have been certified to be available in the Sewer Other Contractual Items Account, Number 1-07-55-0501-000-029, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 submitted by GODWIN PUMPS OF AMERICA, INC., 84 Floodgate Road, Bridgeport, NJ 08014 for Sewer Pump and Generator Rentals for the Department of Public Works, 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 \$75,000.00, and any other necessary documents, with GODWIN PUMPS OF AMERICA, INC as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$75,000.00** are available for the above contract in Account No. **1-07-55-0501-000-029**, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

Lawrence Pollex
Acting Chief Financial Officer

Date _____

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CONTINENTAL FIRE AND SAFETY, INC. FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT

WHEREAS, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

WHEREAS, CONTINENTAL FIRE AND SAFETY, INC., 180 Volusia Avenue, Trenton, NJ 08610, submitted the lowest legally responsible, responsive bid for various items of the bid; and

WHEREAS, the maximum amount of this purchase is \$275,064.00 and funds in the amount of \$274,546.00 have been certified to be available in the Fire Fighting Clothing and Uniforms Account, Number 1-01-25-0265-001-032 and funds in the amount of \$518.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

4. All bids have been reviewed, and the bid submitted by CONTINENTAL FIRE AND SAFETY, INC., 180 Volusia Avenue, Trenton, NJ 08610 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item number 4 for EMT Personnel and Item numbers 4-6 and 8-9 for Fire Division Personnel.
5. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$275,064.00, and any other necessary documents, with CONTINENTAL FIRE AND SAFETY, INC. as described herein.
6. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$274,546.00 are available for the above contract in Account No. 1-01-25-0265-001-032 and funds in the amount of \$518.00 are available for the above contract in Account No. 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

Lawrence Pollex
Acting Chief Financial Officer

Date _____

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY, INC. FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT AND EMT

WHEREAS, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

WHEREAS, ABSOLUTE FIRE PROTECTION COMPANY, INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080, submitted the lowest legally responsible, responsive bid for various items of the bid; and

WHEREAS, the maximum amount of this purchase is \$13,151.20 and funds in the amount of \$271.00 have been certified to be available in the Fire Fighting Clothing and Uniforms Account, Number 1-01-25-0265-001-032 and funds in the amount of \$12,880.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 submitted by ABSOLUTE FIRE PROTECTION COMPANY, INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item numbers 7-8 for EMT Personnel and Item number 7 for Fire Division Personnel.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$13,151.20, and any other necessary documents, with ABSOLUTE FIRE PROTECTION COMPANY, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$271.00 are available for the above contract in Account No. 1-01-25-0265-001-032 and funds in the amount of \$12,880.00 are available for the above contract in Account No. 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

Lawrence Pollex
Acting Chief Financial Officer

Date _____

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FIRST DUE
EMERGENCY SUPPLY COMPANY FOR UNIFORMS AND EQUIPMENT-FIRE DEPARTMENT
AND EMT**

WHEREAS, bids were received by the Township of Edison on December 15, 2010 for Public Bid No. 10-01-29, Uniforms and Equipment-Fire Department and EMT; and

WHEREAS, FIRST DUE EMERGENCY SUPPLY COMPANY, 444 Hurffville-Crosskeys Road, Sewell, NJ 08080, submitted the lowest legally responsible, responsive bid for various items of the bid; and

WHEREAS, the maximum amount of this purchase is \$27,156.30 and funds in the amount of \$11,358.30 have been certified to be available in the Fire Fighting Uniforms Allowance Account, Number 1-01-25-0265-001-043 and funds in the amount of \$15,798.00 have been certified to be in the EMT Services Clothing and Uniforms Account, Number 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 submitted by FIRST DUE EMERGENCY SUPPLY COMPANY, 444 Hurffville-Crosskeys Road, Sewell, NJ 08080 for Uniforms and Equipment-Fire Department and EMT, is determined to be the lowest legally responsible, responsive bid for Item numbers 1-3, 5-6 and 9-11 for EMT Personnel and Item numbers 1-3 for Fire Division Personnel.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$27,156.30, and any other necessary documents, with FIRST DUE EMERGENCY SUPPLY COMPANY as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$11,358.30 are available for the above contract in Account No. 1-01-25-0265-001-043 and funds in the amount of \$15,798.00 are available for the above contract in Account No. 1-01-25-0265-003-032, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

Lawrence Pollex
Acting Chief Financial Officer

Date _____

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 Council 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 Council 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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that, subject to and contingent upon the appropriation of sufficient funds in the budget for the 2011 calendar year, funds in the amount of \$115,000.00 are available in Current Account No. 1-01-20-0135-000-200, Sanitation Account No. 1-09-55-0800-001-224, and Sewer Account No. 1-07-55-0501-000-028.

Lawrence P. Pollex
Acting Chief Financial Officer

Date: _____