

**AGENDA  
MUNICIPAL COUNCIL  
COMBINED MEETING  
Wednesday, February 8, 2012  
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date. An additional notice was sent on January 31, 2012 combining the Worksession meeting and changing the time of the meeting.
4. **REVIEW OF MINUTES:**
  - a. Worksession Meeting of December 12, 2011
  - b. Regular Meeting of December 14, 2011
  - c. Combined Meeting of December 28, 2011
5. **ADMINISTRATIVE AGENDA:  
FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Appointment of Jeffrey Roderman as a Class II Member of the Edison Township Planning Board
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Resolution authorizing the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant program. (Resolution R.072-022012)
  - b. Award of Contract for renewal of software maintenance for the Edmunds System (Resolution R.073-022012)
9. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through February 2, 2012 (Resolution R.056-022012)
  - b. Resolution authorizing refund in the amount of \$376,641.67 for redemption of tax sale certificates. (Resolution R.057-022012)
  - c. Resolution authorizing refund of tax overpayments, totaling \$47,825.04. (Resolution R.058-022012)
  - d. Resolution authorizing refund of tax overpayments, totaling \$11,261.99. (Resolution R.059-022012)
  - e. Resolution authorizing refund of duplicate payment, totaling \$2,101.87. (Resolution R.060-022012)

- f. Emergency Temporary Appropriations (Resolution R.077-022012)
  - g. Transfer of funds for the Sewer Utility Fund (Resolution R.078-022012)
  - h. Transfer of Funds (Resolution R.079-022012)
  - i. Resolution authorizing refund of sewer use overpayments (Resolution R.080-022012)
10. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolutions authorizing refunds (Resolutions R.061-022012 to R.065-022012)
11. **FROM THE DEPARTMENT OF LAW:**
- a. Resolutions revising Tax Appeal Settlements (Resolution R.071-022012 and R.081-022012 through R.084-022012)
  - b. Revlon Redevelopment (Ordinance O.1792-2012)
12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Ordinance regarding Ventnor Drive Residential parking (Ordinance O.1791-2012)
  - b. Resolution authorizing release of cash and performance bond for SRG1, LLC, 101 Route 27 and Evergreen Road, Application #P58-07/08 (Resolution R.066-022012)
  - c. Resolution authorizing tree maintenance bond refund for Oak Tree Car Wash, 1639 Oak Tree Road, Permit #07-127 (Resolution R.067-022012)
  - d. Resolution authorizing refund of Maintenance Bond to Oak Tree Car Wash, 1639 Oak Tree Road, Application #Z25-03/04 (Resolution R.068-022012)
  - e. Change Order #1 for consulting services on the construction of the main poll at the Edison Branch YMCA Family Swim Club at Oakcrest (Resolution R.074-022012)
  - f. Change Order #1 for Contract No. 11-06-27, Pool Renovations – YMCA Family Swim Club at Oakcrest (Resolution R.075-022012)
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Award of contract for the furnishing of inlet frames and bike grates (Resolution R.076-022012)
14. **FROM THE DEPARTMENT OF RECREATION:**
- a. Refund of various fees (Resolution R.069-022012 and R.070-022012)
15. **FROM THE CHIEF OF FIRE:**
- a. Applications for membership to Volunteer Fire Companies
16. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
17. **COMMUNICATIONS:**
- a. Electronic Mail Message from Mary Petti regarding the Zoning Board – receive
  - b. Letter from the Metuchen Edison Historical Society regarding Local History Day - receive

18. **DISCUSSION ITEMS:**

**Council President Karabinchak**

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

**Councilmember Diehl**

None

**Councilmember Gomez**

None

**Councilmember Lankey**

None

**Councilmember Lombardi**

None

**Councilmember Mascola**

None

**Councilmember Prasad**

None

19. **CLOSED SESSION:**

None

20. **APPROVAL OF MINUTES:**

- a. Worksession Meeting of December 12, 2011
- b. Regular Meeting of December 14, 2011
- c. Combined Meeting of December 28, 2011

21. **COUNCIL PRESIDENT'S REMARKS**

22. **ADMINISTRATIVE AGENDA:**

**FROM MAYOR ANTONIA RICIGLIANO:**

- a. Appointment of Jeffrey Roderman as a Class II Member of the Edison Township Planning Board

23. **APPLICATION FOR MEMBERSHIP TO VOLUNTEER FIRE COMPANIES:**

Oak Tree Volunteer Fire Company

Mike O'Malley

Edison Volunteer Fire Company #1

Todd Pagel

24. **NEW BUSINESS:  
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR THURSDAY,  
FEBRUARY 23, 2012:**

O.1791-2012 AN ORDINANCE AMENDING SECTION 7-17 OF THE CODE OF THE TOWNSHIP OF EDISON ADDING VENTNOR DRIVE TO RESIDENTIAL PARKING ZONE #5

O.1792-2012 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PROPERTY COMMONLY KNOWN AS THE FORMER REVLON PROPERTY BEING BLOCK 124 LOT 22.01

25. **PUBLIC COMMENT ON THE RESOLUTIONS**

26. **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.056-022012 Resolution approving disbursements for the period ending February 2, 2012.

R.057-022012 Resolution authorizing refund in the amount of \$376,641.67 for redemption of tax sale certificates.

R.058-022012 Resolution authorizing refund of tax overpayments, totaling \$47,825.04.

R.059-012012 Resolution authorizing refund of tax overpayments, totaling \$11,261.99.

R.060-022012 Resolution authorizing refund of duplicate payment to Prologis, 8 Kilmer Road, in the amount of \$2,101.87.

R.061-022012 Resolution authorizing refund of dog adoption fee to Maria Sitaras, in the amount of \$50.00.

R.062-022012 Resolution authorizing refund of dog license fee to Kimberly Szyszkiewicz, in the amount of \$3.00.

R.063-022012 Resolution authorizing refund of cat license fee to Melissa Conley, in the amount of \$4.00.

R.064-022012 Resolution authorizing refund of dog license fee to Meiling Tien, in the amount of \$16.20.

R.065-022012 Resolution authorizing refund of dog license fee to Lanie Kivowitz, in the amount of \$16.20.

R.066-022012 Resolution authorizing release of cash and performance bond to SRG1, LLC, 101 Route 27 and Evergreen Road, Application #P58-07/08.

- R.067-022012 Resolution authorizing tree maintenance bond refund to Oak Tree Car Wash, 1639 Oak Tree Road, Permit #07-127.
- R.068-022012 Resolution authorizing refund of Maintenance Bond to Oak Tree Car Wash, 1639 Oak Tree Road, Application #Z25-03/04.
- R.069-022012 Resolution authorizing refund of Yelencsics Park Rental Fee to Ruthe Geardino, in the amount of \$150.00.
- R.070-022012 Resolution authorizing refund of ABC program fee to Rachna Agrawal, in the amount of \$225.00.
- R.071-022012 Resolution revising Resolution R.426-052011 regarding tax appeal settlement for Red Roof Inn, for property known at 860 New Durham Road.
- R.072-022012 Resolution authorizing application of the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant program.
- R.073-022012 Resolution authorizing award of contract for the renewal of software maintenance for the Edmunds System to Edmunds and Associates, Inc., in an amount not to exceed \$48,495.00.
- R.074-022012 Resolution authorizing Change Order #1 for consulting services for the construction of the main pool at the Edison Branch YMCA Family Swim Club at Oakcrest to Wade Associates, LLC, in an additional amount of \$9,707.50.
- R.075-022012 Resolution authorizing Change Order #1 to Contract No. 11-06-27, Pool Renovations – YMCA Family Swim Club at Oakcrest awarded to RJR Engineering Company, Inc., in an additional amount of \$3,974.00.
- R.076-022012 Resolution authorizing award of contract for the furnishing of inlet frames and bike grates to Campbell Foundry Company, in an amount not to exceed \$11,087.00.
- R.077-022012 Resolution authorizing emergency temporary appropriations.
- R.078-022012 Resolution authorizing transfer of funds for the Sewer Utility Fund.
- R.079-022012 Resolution authorizing transfer of funds.
- R.080-022012 Resolution authorizing refund of sewer use fees to various individuals, totaling \$420.70.
- R.081-022012 Resolution revising Resolution R.381-052011 regarding tax appeal settlement for Edison-Kilmer Associates, for property known at Truman Drive South
- R.082-022012 Resolution revising Resolution R.420-052011 regarding tax appeal settlement for Heller, Alper, Roberts-Edison, for property known at 10 Executive Avenue.
- R.083-022012 Resolution revising Resolution R.417-052011 regarding tax appeal settlement for Heller, Alper, Roberts, Volk-Edison, for property known at 49 Distribution Boulevard.
- R.084-022012 Resolution revising Resolution R.383-052011 regarding tax appeal settlement for Palin Enterprises, for property known at 125 National Road.

27. **COMMUNICATIONS:**

- a. Electronic Mail Message from Mary Petti regarding the Zoning Board – receive

- b. Letter from the Metuchen Edison Historical Society regarding Local History Day  
- receive

28. **ORAL PETITIONS AND REMARKS**

29. **ADJOURNMENT**

**EXPLANATION:** This Ordinance creates Residential Parking Zone # 5 for permit parking in areas north of other than around the Edison Township Train Station.

**TOWNSHIP OF EDISON**

**ORDINANCE O.1791-2012**

**WHEREAS,** the Township of Edison wishes to create Residential Parking Zone # 5 for permit parking in areas north of other than around the Edison Township Train Station; and

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

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

**BE IT ORDAINED,** by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that Chapter VII Traffic, Section 7-17 entitled “Residential Parking Permit” is hereby amended as follows:

**SECTION I.** Section 7-17 entitled “Residential Parking Permit” is hereby amended to include new Section 7-17(a)(5) as follows:

5. Zone # 5. The following streets will constitute residential permit parking Zone # 5. Only residents from Zone # 5 and their visitors are eligible to park in Zone # 5. Color-coded permit(s) will be issued to residents and their guests of Zone # 5.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>	<u>Hours</u>	<u>Days</u>
Ventnor Drive	Both	Entire Length	7:00 a.m. - 6:00 p.m.	Mon. - Fri.

**SECTION II.** 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).

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

FIRST READING	
FIRST PUBLICATION	THE HOME NEWS & TRIBUNE
FINAL READING	
APPROVAL OF THE MAYOR	
FINAL PUBLICATION	THE HOME NEWS & TRIBUNE

---

Note to Codifier:

Deleted provisions indicated by bracket [ ].

New provisions indicated by bold underline \_\_\_\_.

**TOWNSHIP OF EDISON**

**ORDINANCE O. \_\_\_\_\_ - 2012**

**TOWNSHIP ENGINEER CERTIFICATION PER N.J.S.A. 39:4-8**

I, John A. Medina, P.E., as Township Engineer for the Township of Edison, Middlesex County, New Jersey, as required by N.J.S.A. 39:4-8 have, under seal as a NJ licensed professional engineer, hereby certify to the Edison Township Council, that any designation or erections of signs or placement of pavement markings have been approved after investigation of the circumstances, and it appears to be in the interest of safety and the expedition of traffic on the public highways, and the signage and pavement markings conform to the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the commissioner and that the provisions of this ordinance, are consistent with the Manual on Uniform Traffic Control Devices for Streets and Highways, consistent with accepted engineering standards, based on the results of an accurate traffic and engineering survey, and does not place an undue traffic burden or impact on streets in an adjoining municipality or negatively affect the flow of traffic on the State highway system.

\_\_\_\_\_  
JOHN A. MEDINA, P.E., C.M.E.  
DIRECTOR OF PLANNING AND ENGINEERING  
EDISON TOWNSHIP ENGINEER

Date: \_\_\_\_\_ 01/27/2012 \_\_\_\_\_



EXPLANATION: This Ordinance adopts a Redevelopment Plan for a portion of the property commonly known as the former Revlon property being Block 124 Lot 22.01.

**EDISON TOWNSHIP**

**ORDINANCE O.1792-2012**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PROPERTY COMMONLY KNOWN AS THE FORMER REVLON PROPERTY BEING BLOCK 124, LOT 22.01**

**WHEREAS**, pursuant to the “Local Redevelopment and Housing Law” N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), and by Resolution R.201-042000 adopted on May 25, 2000 and again by Resolution R.482-092007 adopted on September 26, 2007, the Township Council authorized the Edison Township Planning Board (the “Planning Board”) to undertake a preliminary investigation to determine whether the area known as the former Revlon property being Block 124, Lots 21, 22, and 2-E-5 (the “Area”) qualified as an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LRHL and to make recommendations regarding same; and

**WHEREAS**, at the Planning Board meeting of August 18, 2008 the Planning Board adopted a resolution (the “Resolution”), memorializing their determination made at their June 18, 2008 meeting, in accordance with the “Need for Redevelopment Preliminary Investigation Report and Maps for Revlon Redevelopment Study Area” prepared by Bignell Planning Consultants, originally prepared June 2000, revised through April 2008, (the “Investigation Report”) that the Area qualifies as an area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-5(b), (d) and (e) and also memorializing its recommendation that the Area be declared an area in need of redevelopment; and

**WHEREAS**, by Township Council Resolution R.350-052011 adopted on May 25, 2011 the Township Council declared the Area as an area in need of redevelopment and pursuant to the provisions of N.J.S.A. 40A:12A-7(f) directed the Planning Board to prepare a Redevelopment Plan for the Area and to forward the same to the Township Council for consideration; and

**WHEREAS**, in the interim pursuant to the Planning Board Resolution adopted on August 17, 2011 the property was resubdivided and all of the existing buildings and warehouse structures will remain and will be contained on new Lots 21.01, 23.01 and 22.02. New Lot 22.01, which contains 35.98 acres of the 62.40 acre property, and is the portion of the Redevelopment Area located at the center, will be cleared of the remaining concrete foundation structures and asphalt and used for Redevelopment.

**WHEREAS**, at the Planning Board meeting of January 30, 2012 the Planning Board adopted a resolution memorializing their determination made at the same meeting, adopting the

“Revlon Property Redevelopment Plan for Block: 124, Lot 22.01” dated January 27, 2012 prepared by Bignell Planning Consultants (the “Redevelopment Plan”) pursuant to the provisions of N.J.S.A. 40A:12A-7(a) (e) and (f) as the proposed Redevelopment Plan for the Area; and

**BE IT ORDAINED**, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that:

1. The “Revlon Property Redevelopment Plan for Block: 124, Lot 22.01” dated January 27, 2012 prepared by Bignell Planning Consultants (the “Redevelopment Plan”) and attached hereto is hereby adopted as the Redevelopment Plan for the Area.

2. Pursuant to N.J.S.A. 40A:12A-7(c) the Zoning Map of the Township of Edison is hereby amended to designate the Area, being: Block 124 Lot 22.01 as part of the Revlon Property Redevelopment Area and an area in need of redevelopment and shall be designated as being in the: “Revlon Property Redevelopment Area Zone.”

3. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

4. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

**RESOLUTION R.056-022012**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF EDISON FOR THE PERIOD ENDING FEBRUARY 2, 2012

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted  
to the Township Council a Report of Disbursements made through February 2, 2012

FUND	AMOUNT
Current	\$24,222,422.88
Dog (Animal Control)	1,726.00
Sewer Utility	132,624.55
Capital	495,950.33
CDBG	0.00
Trust	155,334.55
Grant Funds	6,585.21
Sanitation Fund	127,521.11
Payroll Deductions	896,463.69
Park Improvements	22,396.22
Developers Escrow	0.00
Cash Performance	0.00
Affordable Housing	100,000.00
Tax Sale Redemption	1,203,095.26
Tree Planting	0.00
Federal Forfeited	0.00
Street Opening Escrow	0.00
 TOTAL	 \$27,364,119.80

/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.O57-022012**

**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 \$376,641.67.

February 8, 2012



**RESOLUTION R.059-022012**

**WHEREAS**, in accordance with the Middlesex County Tax Board, 2011 Added and Omitted assessed value of the properties on the attached listing have been reduced; and

**WHEREAS**, the reduction in assessed value, for the year(s) listed, has caused a real estate tax overpayment in the amount(s) listed; and

**WHEREAS**, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the parties in the amounts specified on the attached listing, totaling \$11,261.99.

February 8, 2012

RESOLUTION R.060-022012

Whereas, Prologis, (the "Taxpayer"), the owner of property located at 8 Kilmer Road, in Edison Township, County of Middlesex, and known as Block 3.B Lot 4.A, wired, in error, a duplicate payment to the Township of Edison to redeem a tax lien in the amount of \$2,101.87.

Whereas, application has been made to the Tax Collector for refund of said overpayment, totaling \$2,101.87.

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 a check to Prologis, (the "Taxpayer"), the owner of property located at 8 Kilmer Road, in Edison Township, County of Middlesex, and known as Block 3.B Lot 4.A in the amount of \$2,101.87.

February 8, 2012

**R.061-022012**  
**RESOLUTION AUTHORIZING A REFUND TO MARIA SITARAS OF DOG**  
**ADOPTION FEE**

**WHEREAS** , Maria Sitaras adopted a dog from the Edison Animal Shelter on December 16, 2011 and paid the adoption fee of \$50.00; and later returned the dog to the shelter on December 18, 2011;

**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 \$50.00 to Maria Sitaras, 114C Old Nassau Road, Monroe, NJ 08839 which amount represents the dog adoption fee

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$50.00** are available for the above refund in Account No. **T-12-00-0100-000-001**.

\_\_\_\_\_  
Lawrence Pollex  
Acting Chief Financial Officer

\_\_\_\_\_  
Date



**R.062-022012**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO KIMBERLY  
SZYSZKIEWICZ FOR OVERPAYMENT OF DOG LICENSE FEES**

**WHEREAS** , Kimberley Szyszkiewicz made an online application for a 2012 license for her dog “Jazz”, along with payment in the amount of \$19.20; and

**WHEREAS**, in accordance with the Code of the Township of Edison, the appropriate fee for a spay/neutered dog is \$16.20.

**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 \$3.00 to Kimberly Szyszkiewicz, 59 Carlton Street, Edison, NJ 08837 which amount represents the amount of overpayment for 2012 Dog License

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$3.00** are available for the above refund in Account No. **T-12-00-0100-000-001**.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date

**R.063-022012**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO MELISSA CONLEY FOR OVERPAYMENT OF CAT LICENSE FEES**

**WHEREAS** , Melissa Conley made an application for a 2012 license for her cat “Ducati”, along with payment in the amount of \$10.00; and

**WHEREAS**, in accordance with the Code of the Township of Edison, the appropriate fee for a spay/neutered cat is \$6.00.

**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 \$4.00 to Melissa Conley, 82 Plainfield Avenue T-33, Edison, NJ 08817 which amount represents the amount of overpayment for 2012 Cat License

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$4.00** are available for the above refund in Account No. **T-12-00-0100-000-001**.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date

**R.064-022012**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO MEILING TIEN FOR  
OVERPAYMENT OF DOG LICENSE FEES**

**WHEREAS** , Meiling Tien made duplicate online applications numbered 1578 and 1578 for a 2012 license for her dog “Bobo Tien”, along with two payments of \$16.20 totaling \$32.40;

**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 \$16.20 to Meiling Tien, 55 Chestnut Street, Edison, NJ 08817 which amount represents the amount of overpayment for 2012 Dog License number 676.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$16.20** are available for the above refund in Account No. **T-12-00-0100-000-001**.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date

**R.065-022012**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO LANIE KIVOWITZ FOR  
OVERPAYMENT OF DOG LICENSE FEES**

**WHEREAS** , Lanie Kivowitz made duplicate online applications numbered 1528 and 1529 for a 2012 license for her dog “Keira”, along with two payments of \$16.20 totaling \$32.40;

**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 \$16.20 to Lanie Kivowitz, 7 Purdue Road, Edison, NJ 08820 which amount represents the amount of overpayment for 2012 Dog License number 421.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$16.20** are available for the above refund in Account No. **T-12-00-0100-000-001**.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date

**TOWNSHIP OF EDISON**

**RESOLUTION R.066-022012**

**WHEREAS**, the Township Engineer advises that an inspection has been made of SRG1, LLC (Gurnani Office Building) at 101 Rt.27 & Evergreen Road Application #P58-07/08 located in Block 673, Lots 1A2 & 1D4, 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 September 20, 2011, and also, on December 20, 2011 the Maintenance Bond was posted by SRG1, LLC c/o Gurnani & Gurnani in the amount of \$12,077.25; and

**WHEREAS**, the Township Engineer, recommends the release of the Performance Bond Letter of Credit #8050002114 of The Provident Bank in the amount of \$86,956.20 with the Township of Edison, principal being SRG1, LLC and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer, recommends the release of the Cash Performance Bond Check #1036 in the amount of \$9,661.80, on deposit in account #7760013407 with the Township of Edison, principal being SRG1, LLC having offices at 505 Thornall Street, Suite 204, Edison, N.J. 08837 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 \$86,956.20, 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 \$9,661.80, plus accrued interest, if applicable, on deposit in account #7760013407 to the applicant.

S:Eng-Karen-RetReso-CashPerf&PerfBond-SRG1-Gurnani-Rt27&Evergreen

**TOWNSHIP OF EDISON**  
**RESOLUTION R.067-022012**

**WHEREAS**, M&M Boys 3 (Marvin Ginsberg) posted a Tree Maintenance Bond fees in the amount of \$1,800.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-127, located at 1639 Oak Tree Road, Block 643-DD and Lot 39; and

**WHEREAS**, a Tree Maintenance Bond was posted on September 19, 2007 in the amount of \$1,800.00, on deposit in account #7760237742; and

**WHEREAS**, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,800.00, 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 \$1,800.00, 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 \$1,800.00, plus accrued interest, if applicable, on deposit in Account #7760237742 to M&M Boys 3 (Marvin Ginsberg) having an address of 8 Roosevelt Avenue, West Caldwell, N.J. 07006.

**TOWNSHIP OF EDISON**  
**RESOLUTION R.068-022012**

**WHEREAS**, the Township Engineer advises that an inspection has been made of Oak Tree Car Wash, located at 1639 Oak Tree Road, in Block 643-DD and Lot 39, Application #Z25-03/04, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

**WHEREAS**, on January 10, 2008, M&M Boys 3 (Marvin Ginsberg) posted a Maintenance Bond Check #255 in the amount of \$5,360.10, 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 \$5,360.10, plus accrued interest, if applicable, on deposit with the Township of Edison in Account #7760013327, principal being M&M Boys 3 (Marvin Ginsberg) having offices at 8 Roosevelt Avenue, West Caldwell, N.J. 07006 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 that the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond in the amount of \$5,360.10, plus accrued 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 \$5,360.10, plus accrued interest, if applicable, in account #7760013327 to the applicant.

S:Eng-Karen-RetReso-MaintBondRefund-OakTreeCarWash-Ginsberg

**R.069-022012**  
**RESOLUTION AUTHORIZING A REIMBURSEMENT TO**  
**RUTHE GEARDINO FOR THE RENTAL OF YELENCISICS PARK**

**WHEREAS** Ruthe Geardino made an overpayment in the amount of \$150.00 for the rental of Yelencsics Park; and

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$150.00 to Ruthe Geardino, 153 Fifth Street., Edison, NJ 08837, which amount represents the amount of the overpayment.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$150.00 are available in Account #1-01-55-0291-000-000.

\_\_\_\_\_  
Larry Pollex  
Acting Chief Financial Officer

\_\_\_\_\_  
Date

Q:geardino reso.  
12/16/11 dwt



**R.070-022012**  
**RESOLUTION AUTHORIZING A REIMBURSEMENT TO**  
**RACHNA AGRAWAL FOR THE ABC PROGRAM**

**WHEREAS** Rachna Agrawal made payment in the amount of \$225.00 for her children, Aayush & Ishaan Gupta's participation in the afternoon ABC/YAP Programs at Martin Luther King Elementary School and John Adams Middle School; and

**WHEREAS** payment was made with an automatic bank check after the children were already removed from the programs.

**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 \$225.00 to Rachna Agrawal, 29 Morning Glory Lane, Edison, NJ 08820, which amount represents the monthly fee for the ABC/YAP programs.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$225.00 are available in Account #2-01-55-0291-000-000.

\_\_\_\_\_  
Larry Pollex  
Acting Chief Financial Officer

\_\_\_\_\_  
Date

**R.071-022012  
EDISON TOWNSHIP**

**REVISED RESOLUTION R.426-052011**

**WHEREAS**, Red Roof Inn, (the "Taxpayer"), the owner of property located at 860 New Durham Road, in Edison Township, County of Middlesex, and known as Block 56.20, Lot 20 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the year 2010 with the Tax Court of New Jersey, Docket Number 002950-2010; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$ 1,080,000.00
Improvements	\$ 3,120,000.00
Total	\$ 4,200,000.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2010 as follows:

Year	2010
Land	\$ 1,080,000.00
Improvements	\$ 1,261,900.00
Total	\$ 2,341,900.00

**WHEREAS**, the parties further agree that the property's total assessment for the year 2011 shall be \$2,205,400.00 and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the \$2,205,400.00 assessment agreed upon herein; and

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, refund(s) shall be made payable to "Day Pitney, LLP, Attorney Trust Fund" and the taxpayer and forwarded to "Day Pitney, LLP, 1 Jefferson Road, Parsippany, NJ 07054" within 60 days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction; and

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2010
\$ 82,518.22

**WHEREAS**, pursuant to NJSA 54:3-27.2, the Taxpayer is entitled to approximately \$11.46 per day in interest, which shall be calculated from the date of payment of taxes, less any amount of taxes, interest or both, which may be applied against delinquencies;

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

1. For the 2010 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2010
Land	\$ 1,080,000.00
Improvements	\$ 1,261,900.00
Total	\$ 2,341,900.00

2. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the total assessment for the property as \$2,205,400.00.
3. The Taxpayer is entitled to a refund in the amount of \$ 82,518.22, plus interest which shall be calculated at a rate of \$11.46 per day from the date of payment of taxes, less any amount of taxes , interest or both, which may be applied against delinquencies.
4. The Tax Appeal Attorney for the Township, is hereby authorized to execute a Stipulation of Settlement relative to the property tax appeals filed for the year 2010, Docket Number 002950-2010, by the taxpayer, owning the property located at 860 New Durham Road in Edison Township, known as Block 56.20, Lot 20.

**NOW THEREFORE BE IT FURTHER RESOLVED**, upon the Municipal Comptroller's receipt of the appropriate Tax Court Judgment(s) that the Municipal Comptroller be, and is hereby authorized to issue checks consistent with the amount refunded for the foregoing assessment reduction and the Tax Collector can process credits against open tax balances.

**R.072-022012**

**Explanation:** Approval and execution of this Municipal Resolution officially authorizes the development and submission of a detailed, on-line grant application to the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant Program for a maximum of \$2,500,000.00 in grant funds to support the salaries and benefits required to hire fifteen (15) full-time, paid, firefighters for the Edison Division of Fire, in accordance with all applicable program guidelines, regulations and statutes.

**TOWNSHIP OF EDISON MUNICIPAL RESOLUTION**  
**TO AUTHORIZE THE DEVELOPMENT AND SUBMISSION OF AN APPLICATION**  
**TO THE FY 2011 USDHS FEMA SAFER HIRING OF FIREFIGHTERS PROGRAM**  
**FOR THE HIRING OF FIFTEEN (15) FULL TIME, FIREFIGHTERS BY THE**  
**TOWNSHIP OF EDISON**  
**DEPARTMENT OF PUBLIC SAFETY**  
**DIVISION OF FIRE**

**WHEREAS**, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) provides an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the FY 2011 Staffing for Adequate Fire and Emergency Response (SAFER) Hiring of Firefighters Grant Program; and

**WHEREAS**, USDHS FEMA SAFER Hiring of Firefighters Grant Program provides grant funds to assist local Fire Fighter Companies to recruit, train, certify and retain Fire Fighters, under the FY 2011 USDHS FEMA SAFER Hiring of Fire Fighters Grant Program; and

**WHEREAS**, the Township of Edison Department of Public Safety Division of Fire will submit an on-line grant application for a maximum of \$2,500,000.00 in grant funds to the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant Program; and

**WHEREAS**, the Edison Division of Fire intends to hire fifteen (15) new, Full-Time, Paid, Fire Fighters to replace those lost to attrition due to economic, related or other circumstances, with the assistance of a grant to be provided by the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant Program; and

**WHEREAS**, the FY 2011 USDHS FEMA SAFER Hiring of Firefighters Grant Program does not require a local cash or in-kind cost share for the mandatory, two-year program period.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the development and submission of said 2011 USDHS FEMA SAFER Hiring of Firefighters Grant Program application, at a regularly-scheduled, public meeting, convened on February 8, 2012.

### **What Is The Purpose Of The 2011 USDHS FEMA SAFER Program?**

The Staffing for Adequate Fire and Emergency Response (SAFER) Grants are managed by the Federal Emergency Management Agency's Assistance to Firefighters Grants (AFG) Program Office. SAFER Grants provide financial assistance to help fire departments to increase their cadre of frontline firefighters with new hires, rehire firefighters that have been laid-off or prevent such lay-offs in anticipation of local, economic reasons. The goal is to assist local fire departments with staffing and deployment capabilities so they may respond to emergencies whenever they occur, assuring their communities have adequate protection from fire and fire-related hazards.

**R.073-022012**

**RESOLUTION AWARDING CONTRACT TO EDMUNDS & ASSOCIATES, INC. FOR RENEWAL OF SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM**

**WHEREAS**, the Township of Edison needs to renew the software maintenance for the Edmunds System for 2012; and

**WHEREAS**, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd); and

**WHEREAS**, EDMUNDS & ASSOCIATES, INC., 301 A Tilton Road, Northfield, NJ 08225, has submitted a proposal to provide such services for a one year term at a total cost of \$48,495.00; and

**WHEREAS**, funds in the amount of \$48,495.00 have been certified to be available in the Data Processing-Computer Hardware and Software Account, Number 2-01-20-0140-000-059, subject to and contingent upon appropriation of sufficient funds in the 2012 budget.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$48,495.00, with EDMUNDS & ASSOCIATES, INC., 301 A Tilton Road, Northfield, NJ 08225 as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5 (dd).

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$48,495.00** are available for the above contract in Account No. **2-01-20-0140-000-059**, subject to and contingent upon appropriation of sufficient funds in the 2012 budget.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date

**R.074-022012**

**THIS RESOLUTION AUTHORIZES CHANGE ORDER NUMBER #1 FOR WADE ASSOCIATES, LLC FOR CONSULTING SERVICES FOR THE CONSTRUCTION OF THE MAIN POOL AT THE EDISON BRANCH YMCA FAMILY SWIM CLUB AT OAKCREST**

**WHEREAS**, WADE ASSOCIATES, LLC, 2941 North Front Street, Harrisburg, PA 17110, was awarded a professional services contract through Resolution R.540-092010 in an amount not to exceed \$12,375.00 on September 22, 2010 for the construction document and bidding phase of the YMCA FAMILY SWIM CLUB project; and

**WHEREAS**, The Township Engineer has found a change order in the amount of \$2,207.50 is necessary for additional work for the Soil Erosion and Sedimentation Control Plan that was required by the Freehold Soil Conservation District; and

**WHEREAS**, a component of the contract with WADE ASSOCIATES allows for consulting services for the Construction Phase; and

**WHEREAS**; the Township Engineer therefore recommends authorization of Change Order #1 for the Construction Phase of the project to WADE ASSOCIATES, LLC in an amount not to exceed \$7,500.00 resulting in a total change order amount of \$9,707.50 and a total contract amount of \$22,082.50; and

**WHEREAS**, WADE ASSOCIATES, LLC, 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 WADE ASSOCIATES, LLC from making any reportable contributions through the term of the contract.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Change Order #1 is awarded to WADE ASSOCIATES, LLC, in an amount not to exceed \$9,707.50 resulting in a total contract amount of \$22,082.50.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$9,707.50 are available for the above contract in Account No. G-02-10-0165-804-000.

---

Lawrence Pollex  
Acting Chief Financial Officer



---

Date

**R.075-022012**  
**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR RJR ENGINEERING  
COMPANY INCORPORATED FOR CONTRACT NO. 11-06-27, POOL  
RENOVATIONS-YMCA FAMILY SWIM CLUB AT OAKCREST, FOR A TOTAL  
REVISED CONTRACT AMOUNT OF \$756,574.00**

**WHEREAS,** RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 was awarded Contract No. 11-06-27, Pool Renovations-YMCA Family Swim Club at Oakcrest on August 24, 2011 through resolution R.622-082011 in the amount of \$637,300.00 and resolution R.761-102011 dated October 26, 2011 in the amount of \$115,300.00 for a total amount not to exceed \$752,600.00; and

**WHEREAS,** The Township Engineer has found a change order in the amount of \$3,974.00 is necessary for additional work for soil erosion and sediment control measures; and

**WHEREAS,** the Township Engineer therefore recommends authorization of the required Change Order #1 be made to RJR ENGINEERING COMPANY INCORPORATED in an amount not to exceed \$3,974.00 for a total contract amount of \$756,574.00.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Change Order #1 be awarded to RJR ENGINEERING COMPANY INCORPORATED, in an amount not to exceed \$3,974.00 resulting in a total contract amount of \$756,574.00 for 11-06-27, Pool Renovations-YMCA Family Swim Club at Oakcrest.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$3,974.00 are available for the above contract in Account No. G-02-10-0165-804-000.

---

Lawrence Pollex  
Acting Chief Financial Officer

---

Date



**R.076-022012**  
**RESOLUTION AWARDING CONTRACT TO CAMPBELL FOUNDRY COMPANY**  
**FOR THE FURNISHING OF INLET FRAMES AND BIKE GRATES FOR THE**  
**DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there is a need to purchase Inlet Frames and Bike Grates for the Department of Public Works; and

**WHEREAS**, CAMPBELL FOUNDRY COMPANY, 800 Bergen Street, Harrison, NJ 07029, has been awarded State Contract Number 71626 under T-0148/Catch Basin Castings, Inlets and Manholes; and

**WHEREAS**, funds in the amount of \$11,087.00 have been certified to be available in the Streets & Roads – Materials and Supplies Account, Number 2-01-26-0290-000-030 and;

**WHEREAS**, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$11,087.00 and any other necessary documents, with CAMPBELL FOUNDRY COMPANY, 800 Bergen Street, Harrison, NJ 07029, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 71626 under T-0148

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$11,087.00** are available for the above contract in Account No. **2-01-26-0290-000-030**.

\_\_\_\_\_  
Lawrence Pollex  
Acting Chief Financial Officer

\_\_\_\_\_  
Date

R.077-022012

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2012**

**WHEREAS**, the Local Budget Law (N.J.S.A. 40A:4-20), directs that the Governing Body of a municipality may adopt an Emergency Temporary Resolution after the adoption of Temporary Appropriations but before the adoption of the annual budget to authorize additional appropriations; and

**WHEREAS**, the initial temporary appropriations were adopted on January 11, 2012 and amended on January 25; and

**WHEREAS**, the temporary appropriations on the annexed spread sheet are calculated at the rate of 1/12<sup>th</sup> the corresponding 2011 Budget appropriations except for those appropriations added to the Administration, O.E. line item in order to pay a contractual payment as requested by Debbie Donald in the Administrator's office (see annexed);

**NOW, THEREFORE, IT IS RESOLVED** by the **COUNCIL OF THE TOWNSHIP OF EDISON**, in the County of Middlesex, New Jersey that the emergency temporary appropriations on the annexed spread sheet are hereby approved.

**DATED: February 8, 2012**



Department of Law	Salaries and Wages	\$ 43,138.00	\$0.00
	Other Expenses	\$ 519,252.00	\$3,594.69
Department of Finance	Salaries and Wages	\$ 86,142.00	\$43,269.27
	Other Expenses	\$ 4,759.00	\$0.00
Division of Accounts and Controls	Salaries and Wages	\$ 34,298.00	\$7,178.21
	Other Expenses	\$ 46,667.00	\$396.57
Data Processing	Salaries and Wages	\$ 34,298.00	\$2,858.05
	Other Expenses	\$ 46,667.00	\$3,888.76
Division of Custody and Disbursements	Other Expenses	\$ 51,531.00	\$0.00
	Salaries & Wages	\$ 176,584.00	\$41,000.00
	Other Expenses	\$ 1,938.00	\$0.00
Division of Tax Collection	Salaries and Wages	\$ 215,137.00	\$14,714.74
	Other Expenses	\$ 34,394.00	\$161.49
Division of Tax Assessment	Salaries and Wages	\$ 151,140.00	\$0.00
	Other Expenses	\$ 69,191.00	\$17,927.37
	Salaries and Wages	\$ 151,140.00	\$2,866.05
	Other Expenses	\$ 69,191.00	\$0.00
Department of Recreation and Parks	Salaries and Wages	\$ 1,441,146.00	\$12,594.50
	Other Expenses	\$ 515,520.00	\$5,765.69
Telephone	Other Expenses	\$ 159,770.00	\$0.00
Heat, Light and Power	Other Expenses	\$ 882,660.00	\$0.00
Division of Parks	Salaries and Wages	\$ 735,000.00	\$13,313.63
	Other Expenses	\$ 88,700.00	\$0.00
	Salaries and Wages	\$ 735,000.00	\$73,552.06
	Other Expenses	\$ 88,700.00	\$0.00
	Salaries and Wages	\$ 735,000.00	\$61,247.55
	Other Expenses	\$ 88,700.00	\$7,391.37

Department of Health			\$0.00
Division of Health			\$0.00
	Salaries and Wages	\$ 1,236,150.00	\$103,008.38
	Other Expenses	\$ 85,000.00	\$7,083.05
Division of Human Resources			\$0.00
	Salaries and Wages	\$ 41,500.00	\$3,458.20
	Other Expenses	\$ 450.00	\$37.50
Division of Senior Citizen Services			\$0.00
	Salaries and Wages	\$ 318,000.00	\$26,498.94
	Other Expenses	\$ 32,000.00	\$2,666.56
Community Shuttle			\$0.00
	Salaries and Wages	\$ 44,455.00	\$0.00
	Other Expenses	\$ 10,000.00	\$0.00
Bridges Youth Program			\$0.00
	Salaries and Wages	\$ 25,000.00	\$0.00
	Other Expenses	\$ 0.00	\$0.00
Division of Police			\$0.00
	Salaries and Wages	\$24,180,337.00	\$2,014,947.48
	Other Expenses	\$ 575,719.00	\$47,974.66
Emergency Dispatch			\$0.00
	Salaries and Wages	\$ 1,600,000.00	\$133,328.00
	Other Expenses	\$ 388,082.00	\$32,338.87
Police Vehicle Maintenance			\$0.00
	Salaries and Wages	\$ 203,000.00	\$16,915.99
	Other Expenses	\$ 137,650.00	\$11,470.37
Uniform Fire Safety Act			\$0.00
	Salaries and Wages	\$ 150,000.00	\$12,499.50
	Other Expenses	\$ 200,000.00	\$0.00
Division of Fire			\$0.00
	Salaries and Wages	\$16,831,323.00	\$1,402,554.15
	Other Expenses	\$ 333,838.00	\$27,818.72
Fire Hydrant Services			\$0.00
	Other Expenses	\$ 1,345,800.00	\$112,145.51



Aid to Volunteer Fire Companies							
	Other Expenses	\$	110,000.00			\$0.00	
						\$0.00	
Department of Public Works							
Municipal Garage	Salaries and Wages	\$	804,500.00			\$67,038.99	
	Other Expenses	\$	68,714.00			\$5,725.94	
						\$0.00	
Vehicle Impound Area	Salaries and Wages	\$	88,000.00			\$0.00	
	Other Expenses	\$	4,900.00			\$408.32	
						\$0.00	
Fuels and Lubricants for Mun. Equipt.	Other Expenses	\$	735,399.00			\$61,280.80	
						\$0.00	
Street Lighting	Other Expenses	\$	1,000,000.00			\$83,330.00	
						\$0.00	
Division of Streets	Salaries and Wages	\$	1,600,000.00			\$133,328.00	
	Other Expenses	\$	330,500.00			\$27,540.57	
						\$0.00	
Division of Public Buildings	Salaries and Wages	\$	1,323,734.00			\$110,306.75	
	Other Expenses	\$	187,861.00			\$15,654.46	
						\$0.00	
Division of Sanitation	Salaries and Wages	\$	1,100,000.00			\$91,663.00	
	Other Expenses	\$	39,850.00			\$3,320.70	
						\$0.00	
Public Defender	Salary and Wages	\$	29,000.00			\$0.00	
	Other Expenses	\$	2,000.00			\$0.00	
						\$0.00	
Department of Planning and Engineering							
Division of Planning and Zoning	Salaries and Wages	\$	290,000.00			\$24,165.70	
	Other Expenses	\$	1,575.00			\$131.24	
						\$0.00	
Community Development	Salaries and Wages					\$0.00	
						\$0.00	
Planning Board	Other Expenses	\$	33,950.00			\$2,829.05	

Zoning Board	Salaries and Wages		\$0.00
	Other Expenses	\$ 33,450.00	\$0.00
Rent Control Board	Salaries and Wages	\$ 7,500.00	\$624.98
	Other Expenses	\$ 7,500.00	\$624.98
Environmental Commission	Other Expenses	\$ 300.00	\$25.00
Division of Engineering	Salaries and Wages	\$ 426,787.00	\$35,564.16
	Other Expenses	\$ 102,612.00	\$8,550.66
Group Insurance	Other Expenses	\$15,198,191.00	\$0.00
Other Insurance and Surety Bonds	Other Expenses	\$ 1,507,113.00	\$1,381,525.27
First Aid Organizations	Other Expenses	\$ 105,000.00	\$0.00
Office of Emergency Management	Other Expenses	\$ 18,900.00	\$1,574.94
Condominium Services	Other Expenses	\$ 110,000.00	\$0.00
Employees' Unemployment Insurance	Other Expenses	\$ 350,000.00	\$29,165.50
Celebration of Public Events	Other Expenses	\$ 50,000.00	\$4,166.50
Municipal Court	Salaries and Wages	\$ 583,888.00	\$48,655.39
	Other Expenses	\$ 77,732.00	\$6,477.41
Uniform Construction Code	Salaries and Wages	\$ 796,322.00	\$66,357.51
	Other Expenses	\$ 1,043,000.00	\$86,913.19
Social Security	Other Expenses	\$ 2,083,274.00	\$173,599.22

Library			\$0.00
Division of Fire EMT Services			
	Other Expenses	\$ 5,243,514.96	\$436,942.10
	Salaries and Wages	\$ 703,000.00	\$0.00
	Other Expenses	\$ 270,000.00	\$58,580.99
EECBG			\$22,499.10
Municipal Alliance			\$0.00
Clean Communities			\$0.00
Payment of Bond Principal			\$0.00
Interest on Bonds			\$0.00
Green Trust Loan Program			\$0.00
MCI/A Capital Lease Payments			\$0.00
NIBET Loan			\$0.00

TOTAL CURRENT FUND \$7,527,305.97

SEWER OPERATING UTILITY FUND

Salaries and Wages	\$ 1,825,000.00	\$152,077.25
Other Expenses	\$ 3,400,000.00	\$283,322.00
M.C.U.A. Charges	\$ 7,097,034.00	\$591,395.84
Social Security	\$ 132,315.00	\$11,025.81
Unemployment Comp. Ins.	\$ 12,000.00	\$ 3,150.00
Other Ins. & Surety Bonds		
TOTAL SEWER OPERATIONS	-108 \$ 32,000.00	\$1,072,970.90

SANITATION FUND

Salaries and Wages	\$ 2,549,917.00	\$ 212,408.00
Other Expenses	\$ 1,802,566.00	\$ 150,153.00
Social Security	\$ 210,000.00	\$ 17,493.00
Disposal Fees	\$ 1,600,000.00	\$ 133,280.00
Unemployment Comp. Ins.	\$ 25,000.00	\$ 2,082.50
Other Ins. & Surety Bonds		\$ 32,000.00
TOTAL SANITATION FUND		547,416.50

-221

**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2011 SEWER UTILITY FUND  
BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

**WHEREAS**, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

**WHEREAS**, certain calendar year 2011 appropriations as budgeted are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

**WHEREAS**, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to insure that adequate appropriation balances exist where needed to pay approved claims against the Township;

**FROM:**

Sewer Operating S&W, Regular  
1-07-55-0501-000-011  
**TOTAL      \$17,800.00**

**TO:**

Sewer Electricity Charges  
1-07-55-0501-000-071  
**TOTAL      \$17,800.00**

**NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY, THAT** the proper Township Officials are hereby authorized to transfer funds as indicated on the annexed spread sheet from those designated appropriations having apparent surplus balances to those designated appropriations having apparent insufficient balances to insure that adequate appropriation balances exist where needed.

**DATED:**            February 8, 2012

**ATTEST:**

\_\_\_\_\_  
Reina Murphy, Municipal Clerk

**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2011 CURRENT FUND  
BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

**WHEREAS**, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

**WHEREAS**, certain calendar year 2011 appropriations as budgeted are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

**WHEREAS**, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to insure that adequate appropriation balances exist where needed to pay approved claims against the Township;

<b><u>FROM:</u></b>		<b><u>TO:</u></b>	
Library, S&W,		Library, OE.	
1-01-29-0390-000-011	\$46,189.53	1-01-29-0390-000-030	\$46,189.53
Public Buildings, Heat, Light & Power, OE			
1-01-31-0430-000-446	\$30,592.14		
O.A.S.I., (Social Security) OE		Street Lighting, OE	
1-01-36-0472-000-090	\$158,545.50	1-01-31-0435-000-075	\$189,137.64
<b>TOTAL</b>	<b>\$235,327.17</b>	<b>TOTAL</b>	<b>\$235,327.17,</b>

**NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY, THAT** the proper Township Officials are hereby authorized to transfer funds as indicated on the annexed spread sheet from those designated appropriations having apparent surplus balances to those designated appropriations having apparent insufficient balances to insure that adequate appropriation balances exist where needed.

**DATED:** February 8, 2012

**ATTEST:** \_\_\_\_\_  
Reina Murphy, Municipal Clerk

## RESOLUTION R.080-022012

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 \$420.70 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.

February 1, 2012

**EDISON TOWNSHIP R.081-022012**

**REVISED RESOLUTION R.. 381-052011**

**WHEREAS**, Edison-Kilmer Associates, (the "Taxpayer"), the owner of property located at Truman Drive South, in Edison Township, County of Middlesex, and known as Block 3.C, Lot 2 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2009, 2010 and 2011 with the Tax Court of New Jersey, Docket # : 006750-2009; 003813-2010; 003031-2011; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$ 990,400.00
Improvements	\$ 368,000.00
Total	\$ 1,358,400.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2009 as follows:

Year	2009
Land	\$ 990,400.00
Improvements	\$ 328,400.00
Total	\$ 1,318,800.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2010 as follows:



Year	2010
Land	\$ 990,400.00
Improvements	\$ 237,800.00
Total	\$ 1,228,200.00

**WHEREAS**, the parties further agree that the property's total assessment for the year 2011 shall be \$1,141,700.00 and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the \$1,141,700.00 assessment agreed upon herein; and

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Zipp & Tannenbaum, LLC, Attorney Trust Fund" and the taxpayer and forwarded to "Zipp & Tannenbaum, LLC, 160 Gatzmer Avenue, Jamesburg, NJ 08831" within 60 days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction; and

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2009:	\$1,634.69
2010:	\$5,519.18

**WHEREAS**, pursuant to NJSA 54:3-27.2, the Taxpayer is entitled to interest from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies; and

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

1. For the 2009 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2009
Land	\$ 990,400.00
Improvements	\$ 328,400.00
Total	\$ 1,318,800.00

2. For the 2010 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2010
Land	\$ 990,400.00
Improvements	\$ 237,800.00
Total	\$ 1,228,200.00

3. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the total assessment for the property as \$1,141,700.00.
  
4. The Taxpayer is entitled to refunds in the amounts \$1,634.69 and \$5,519.18 for 2009 and 2010 respectively, plus interest which shall be calculated at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that upon the receipt of the appropriate Tax Court Judgment(s) that the proper Township Officials are hereby authorized to issue checks consistent with the amount refunded for the foregoing assessment reduction and process credits against open tax balances.

**EDISON TOWNSHIP R.082-022012**

**REVISED RESOLUTION R.420-052011**

**WHEREAS**, Heller, Alper, Roberts-Edison, (the "Taxpayer"), the owner of property located at 10 Executive Avenue, in Edison Township, County of Middlesex, and known as Block 375.S, Lot 13 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the year 2010 with the Tax Court of New Jersey, Docket Number 002034-2010; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$ 1,049,900.00
Improvements	\$ 3,180,100.00
Total	\$ 4,230,000.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2010 as follows:

Year	2010
Land	\$ 1,049,900.00
Improvements	\$ 2,028,900.00
Total	\$ 3,078,800.00

**WHEREAS**, the parties further agree that the property's total assessment for the year 2011 shall be \$2,748,400.00 and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the \$2,748,400.00 assessment agreed upon herein; and

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Zipp & Tannenbaum, LLC, Attorney Trust Fund" and the taxpayer and forwarded to "Zipp & Tannenbaum, LLC, 160 Gatzmer Avenue, Jamesburg, NJ 08831" within 60 days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction;

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2010
\$ 51,124.79

**WHEREAS**, pursuant to NJSA 54:3-27.2, the Taxpayer is entitled to interest from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies; and

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

1. For the 2010 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2010
Land	\$ 1,049,900.00
Improvements	\$ 2,028,900.00
Total	\$ 3,078,800.00

2. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the total assessment for the property as \$2,748,400.00.
3. The Taxpayer is entitled to refunds in the amount of \$ 51,124.79, plus interest which shall be calculated at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies.

**NOW THEREFORE BE IT FURTHER RESOLVED**, upon the Municipal Comptroller's receipt of the appropriate Tax Court Judgment(s) that the Municipal Comptroller be, and is hereby authorized to issue checks as indicated above and the Tax Collector can process credits against open tax balances.

**EDISON TOWNSHIP R.083--022012**

**REVISED RESOLUTION R.417-052011**

**WHEREAS**, Heller, Alper, Roberts, Volk-Edison, (the "Taxpayer"), the owner of property located at 49 Distribution Boulevard, in Edison Township, County of Middlesex, and known as Block 375.S, Lot 10 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the year 2010 with the Tax Court of New Jersey, Docket Number 002160-2010; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$ 1,980,700.00
Improvements	\$ 4,397,800.00
Total	\$ 6,337,200.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2010 as follows:

Year	2010
Land	\$ 1,980,700.00
Improvements	\$ 2,431,600.00
Total	\$ 4,371,000.00

**WHEREAS**, the parties further agree that the property's total assessment for the year 2011 shall be \$3,897,600.00 and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the \$3,897,600.00 assessment agreed upon herein; and

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Zipp & Tannenbaum, LLC, Attorney Trust Fund" and the taxpayer and forwarded to "Zipp & Tannenbaum, LLC, 160 Gatzmer Avenue, Jamesburg, NJ 08831" within 60 days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction;

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2010
\$ 87,318.94

**WHEREAS**, pursuant to NJSA 54:3-27.2, the Taxpayer is entitled to interest from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies; and

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

1. For the 2010 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2010
Land	\$ 1,980,700.00
Improvements	\$ 2,431,600.00
Total	\$ 4,371,000.00



2. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the total assessment for the property as \$3,897,600.00.
3. The Taxpayer is entitled to a refund in the amount of \$87,318.94, together with interest from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies.

**NOW THEREFORE BE IT FURTHER RESOLVED**, upon the Municipal Comptroller's receipt of the appropriate Tax Court Judgment(s) that the Municipal Comptroller be, and is hereby authorized to issue checks as indicated above and the Tax Collector can process credits against open tax balances.

**EDISON TOWNSHIP R.084-022012**

**REVISED RESOLUTION R.. 383-052011**

**WHEREAS**, Palin Enterprises, (the "Taxpayer"), the owner of property located at 125 National Road, in Edison Township, County of Middlesex, and known as Block 48, Lot 7.A3 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2008, 2009 and 2010 with the Tax Court of New Jersey, Docket Numbers 00555-2008, 000800-2009 and 016561-2010; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$ 552,000.00
Improvements	\$ 404,300.00
Total	\$ 956,300.00

**WHEREAS**, the proposed settlement provides for an assessment for the years 2008, 2009 and 2010 as follows:

Year	2008	2009	2010
Land	\$ 552,000.00	\$552,000.00	\$ 552,000.00
Improvements	\$ 404,300.00	\$305,200.00	\$ 228,600.00
Total	\$ 956,300.00	\$857,200.00	\$ 780,600.00

**WHEREAS**, the parties further agree that the property's total assessment for the year 2011 shall be \$760,200.00 and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the \$760,200.00 assessment agreed upon herein; and

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Zipp & Tannenbaum, LLC, Attorney Trust Fund" and the taxpayer and forwarded to "Zipp & Tannenbaum, LLC, 160 Gatzmer Avenue, Jamesburg, NJ 08831" within 60 days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction; and

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2009:	\$4,090.85
2010:	\$7,447.92

**WHEREAS**, pursuant to NJSA 54:3-27.2, the Taxpayer is entitled to interest from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies; and

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

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

1. For the 2009 and 2010 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2009	2010
Land	\$ 552,000.00	\$ 552,000.00
Improvements	\$ 305,200.00	\$ 228,600.00
Total	\$ 857,200.00	\$ 780,600.00

2. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the total assessment for the property as \$720,600.00.
3. The Taxpayer is entitled to refunds in the amounts \$4,090.85 and \$7,447.92 for 2009 and 2010 respectively, plus interest which shall be calculated at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies.
4. The Tax Appeal Attorney for the Township, is hereby authorized to execute a Stipulation of Settlement relative to the property tax appeals filed for the years 2008, 2009 and 2010, Docket Numbers 005553-2008, 000800-2009, 016561-2010, by the taxpayer, owning the property located at 125 National Road in Edison Township, known as Block 48, Lot 7.A3.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that upon the receipt of the appropriate Tax Court Judgment(s) that the proper Township Officials are hereby authorized to issue checks consistent with the amount refunded for the foregoing assessment reduction and process credits against open tax balances.

