

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
FEBRUARY 8, 2012**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:08 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Lombardi and Prasad.
Councilmember Mascola was absent.

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Acting Finance Director Pollex, Public Works Director Roderman, Township Engineer Medina, Health Director Elliott, Recreation Director Halliwell, Police Chief Bryan and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES

a. through c. No comments.

**5. ADMINISTRATIVE AGENDA:
FROM MAYOR ANTONIA RICIGLIANO:**

a. Council President Karabinchak said he sat with Mr. Roderman on the Planning Board last year and felt his knowledge of the Township is important on that board. He is an asset and a balance on the board.

6. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Lankey said the Finance Committee met last week and received the first draft of the budget from Administration. They are moving forward towards the second draft and then eventually to the introduced budget.

Council President Karabinchak asked when the final documents would be received.

Ms. Ruane said within a week.

7. POINTS OF LIGHT

Councilmember Dr. Prasad mentioned that a town hall meeting with the Police Department was held. The burglary unit and Police Chief Bryan were present and a lot of good information was provided.

Council President Karabinchak thanked Councilmember Dr. Prasad for bringing this meeting to light.

Councilmember Dr. Prasad said Councilmember Lombardi and the Mayor were also present.

8. FROM THE BUSINESS ADMINISTRATOR:

a. Ms. Ruane said Edison is applying for this grant to hire fifteen Firefighters. It is a two year grant and there are no requirements to keep the amount of people hired.

b. No comment was made.

9. FROM THE DEPARTMENT OF FINANCE:

a. through i. No comments were made.

10. FROM THE DEPARTMENT OF HEALTH:

a. Council President Karabinchak asked for an explanation.

Mr. Elliott said most of these are due to people making mistakes such as a duplicate payment.

11. FROM THE DEPARTMENT OF LAW:

a. Council President Karabinchak asked for an explanation.

Mr. Kemm said there was a typographical in the amount of the refund authorized from what was in the tax court judgment.

b. Mr. Kemm said the Council had previously declared the Revlon property as an area in need of redevelopment and the next step is a plan to develop the property. The plan presented to the Council only deals with the center piece of property. The Council will remain as the redevelopment authority. The next step is for the applicant to put a final plan together and go to the Planning Board. He noted this is a large warehouse building.

Council President Karabinchak said it is solely the applicant's responsibility for clean up. He asked how soon the applicant will move this forward.

Mr. Kemm said they are looking to move quickly because they have a tenant.

12. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through d. No comments were made.

e and f. Councilmember Diehl questioned this.

Mr. Medina said the two change orders are related to the Oak Crest Swim Club project and he explained why the change is needed.

13. FROM THE DEPARTMENT OF PUBLIC WORKS:

a. No comment was made.

14. FROM THE DEPARTMENT OF RECREATION:

a. Council President Karabinchak asked for an explanation.

Ms. Halliwell explained the reasons for the refunds.

Council President Karabinchak asked how long it takes for the individuals to get their money.

Mr. Pollex said this would depend on whether or not the requisition or purchase order is in the system. If the work is done, it should be processed by the next meeting.

15. FROM THE CHIEF OF FIRE:

a. No comment was made.

16. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Lankey said Mr. Kemm explained the Revlon property and the next meeting is on the 15th.

17. COMMUNICATIONS:

a. and b. No comments

Council President Karabinchak added the following communication:

a. Electronic Mail Message from Mayor Ricigliano regarding changing the school board election to November.

18. DISCUSSION ITEMS:

Council President Karabinchak:

a. No comment was made.

b. Council President Karabinchak asked the status of this.

Mr. Medina said he requested the final right of way maps from the County. The Township will have to provide for the costs in the capital budget. Construction will be after acquisition. The right of way will be done this year but not construction. He said the County is having a slow down with their consultant.

c. No comment was made.

d. Council President Karabinchak said he asked for a proposal at the last meeting.

Chief Bryan said he met with the Administration and one of the vendors and this is going to go out to bid. There will be another meeting with the Administration to answer any other pertinent questions.

Ms. Ruane said the proposals are in the budget books.

e. Council President Karabinchak said he received information from Mr. Roderman and asked if Mr. Medina had any comments.

Mr. Medina said he looked at the information and met with Mr. Roderman. Once he does a final review, he will provide two additional projects.

Council President Karabinchak asked to meet with Mr. Medina regarding this.

f. Council President Karabinchak asked Mr. Kemm the status.

Mr. Kemm said he and Mr. Rainone are working on this and will have them to him in advance of the next meeting.

g. Council President Karabinchak said other municipalities have asked for help from supermarkets, etc to look into different types of technology so plastic bags do not wind up in the dumps. There are other technologies out there. He asked Mr. Kemm and Ms. Ruane to look into this to see if other municipalities have this technology.

h. Council President Karabinchak said he would like to add the Safe Routes to School grant to the agenda. This would replace curbs and sidewalks. The Board of Education picked up a grant and they have asked the Council to affirm that the grant is final.

Councilmember Diehl felt this should be added.

i. Council President Karabinchak said the Edison Metuchen YMCA has requested a waiver for permit fees for an addition. Edison can waive its fees for a non profit tax exempt organization but the State fees would still have to be paid. He wants to ensure the YMCA will get this and not the contractor. He has a problem waiving this for a builder.

Mr. Kemm said he can amend the Resolution.

Councilmember Diehl:

None

Councilmember Gomez:

a. Councilmember Gomez said a question came up regarding the process in place for cutting checks and he asked Mr. Pollex to explain the process in place.

Mr. Pollex said the Department is involved by generating a requisition. He said the checks approved on the bill list are signed automatically. No one person is authorized to release a manual check any longer.

Councilmember Gomez said the Auditor does not have any concerns with the process.

Mr. Pollex said he heard the Council is adding a third signatory. He said he was uncomfortable with only one.

b. Councilmember Gomez asked if the Directors will be able to provide an explanation on the variance analysis.

Chief Bryan said he distributed a summary of his items to the Council.

Councilmember Gomez asked about the maintenance agreement.

Chief Bryan said this is for the 911 dispatch center. At the time we were behind on technology and restrictions were placed on the Department. He had to come up with a figure that would provide for the maintenance going forward.

Councilmember Gomez felt this was a good starting point for the budget.

Councilmember Dr. Prasad asked if there were restrictions placed on the Police Department in 2010.

Chief Bryan said there were restrictions and the bills had to be pushed forward.

Councilmember Dr. Prasad asked the reasons why this was not allowed to be spent.

Chief Bryan said this was because they were moving into a new year. He said the 2011 budget was developed by the Administration with no input from him.

Councilmember Gomez said his intention was to go through the rotation of the Directors.

Council President Karabinchak said he preferred to do this in the Finance Committee. He said he was not prepared to listen to every Director without having the information in paper form. He would rather wait to speak to the Directors when they receive the final budget.

Councilmember Lankey:

None

Councilmember Lombardi:

None

Councilmember Mascola:

Councilmember Mascola was absent.

Councilmember Prasad:

a. Councilmember Dr. Prasad said he asked a question at the last meeting regarding getting in touch with the Prosecutor's Office.

Mr. Kemm said he reached out to them and is waiting for a response.

19. CLOSED SESSION:

The Council retired to Closed Session at 6:48 p.m., on a motion made by Councilmember Diehl, seconded by Councilmember Lombardi and duly carried.

CLOSED SESSION RESOLUTION

WHEREAS, Article VI of the Open Public Meetings Act provides that a public body may hold a closed session; and

WHEREAS, the Township Council will during this meeting enter into discussion of the following matters:

- 1) Personnel

WHEREAS, the matters to be discussed in closed session are to remain in the strictest of confidence by all Council Members in furtherance of their fiduciary duties to the Township of Edison;

NOW, THEREFORE, BE IT RESOLVED, matters discussed at this meeting will be released to the public when the reasons for discussing and acting upon them in closed session no longer exists.

The Council returned from Closed Session at 7:12 p.m., on a motion made by Councilmember Lankey, seconded by Councilmember Lombardi and duly carried.

APPROVAL OF MINUTES

On a motion made by Councilmember Diehl, seconded by Councilmember Lankey and duly carried, the Minutes of the Worksession Meeting of December 12, 2011, Regular Meeting of December 14, 2011 and Combined Meeting of December 28, 2011 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

None

ADMINISTRATIVE AGENDA
FROM MAYOR ANTONIA RICIGLIANO

February 14, 2012

Mr. Jeffrey Roderman
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Mr. Roderman:

It gives me great pleasure to re-appoint you as a class II member of the Edison Township Planning Board. Please accept this letter as confirmation of your appointment effective immediately. Your term will expire on December 31, 2012.

Thank you for your service to our community.

/s/ Antonia Ricigliano
Mayor

The above appointment was received on a motion made by Councilmember Diehl, seconded by Councilmember Lombardi, and duly carried.

APPLICATIONS FOR MEMBERSHIP TO VOLUNTEER FIRE COMPANIES

The following applications were received:

Oak Tree Volunteer Fire Company
Mike O'Malley

Edison Volunteer Fire Company #1
Todd Pagel

The above applications were accepted on a motion made by Councilmember Diehl, seconded by Councilmember Prasad, and duly carried.

RESOLUTIONS OF RECOGNITION

Councilmember Diehl made a motion to add Resolution R.087-022012 to the agenda. This motion was seconded by Councilmember Dr. Prasad.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

The following Resolution of Recognition was read in its entirety:

RESOLUTION R.087-022012

WHEREAS, Patna University was established in 1917 in Bihar, India and is the seventh oldest university of the Indian subcontinent, and the Patna Medical College and Hospital was established in 1925; and

WHEREAS, the Patna Medical College and Hospital is a premier learning institution with diverse education for Medicine, Surgery, Preventive Medicine, Cardiology and Pediatrics. Each year approximately 175 students complete their education to become M.D.'s (Doctor of Medicine). The College and its graduates are known for providing charity care to needy patients, donating equipment, and providing free services in India such as free health check-ups, assisting in surgical operations and anesthesia; and

WHEREAS, graduates of the Patna Medical College and Hospital are located all over world and are leaders in their medical fields, including 300 doctors in the United States of America with a number in Edison, New Jersey; and

WHEREAS, on February 25, 2012 the Patna Medical College and Hospital will be holding its 87th Foundation Day and Alumni Reunion Celebration and among its honored dignitaries will be Dr. Binod Sinha of 3 Helene Avenue, Edison, New Jersey and Dr. Vinod Sinha of 11 Allison Drive, Edison, New Jersey who will be presenting lectures on the state of medicine in the United States to share with their international colleagues; and

WHEREAS, Dr. Binod Sinha and Dr. Vinod Sinha being selected as honored dignitaries and to present their lectures brings honor and acclaim to the entire Edison community; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to honor and commend Dr. Binod Sinha and Dr. Vinod Sinha for being selected as honored dignitaries and to present their lectures at the 87th Foundation Day and Alumni Reunion Celebration of the Patna Medical College and Hospital in Bihar, India on February 25, 2012, and for their continued work within the Edison community.

Council President Karabinchak opened the meeting for public comment on Resolution of Recognition R.087-022012.

Hearing no comments, the public hearing was closed on a motion made by Councilmember Prasad, seconded by Councilmember Lombardi and duly carried.

A motion was made by Councilmember Diehl, seconded by Councilmember Lankey, to adopt Resolution of Recognition R.087-022012:

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

NEW BUSINESS

PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR THURSDAY, FEBRUARY 23, 2012)

The following Ordinances were introduced by title:

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

On a motion made by Councilmember Lombardi, seconded by Councilmember Diehl, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on February 23, 2012.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

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

On a motion made by Councilmember Lombardi, seconded by Councilmember Lankey, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on February 23, 2012.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Councilmember Diehl made a motion to add Resolution R.085-022012 to the agenda. This motion was seconded by Councilmember Lankey.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None

Councilmember Mascola was absent.

Councilmember Dr. Prasad made a motion to add Resolution R.086-022012 to the agenda. This motion was seconded by Councilmember Diehl.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

Council President Karabinchak opened the meeting to the public for comments on Proposed Resolutions R.056-022012 through R.086-022012.

Jane Tousman, 14 Butler Road said she was glad to see the Resolution dealing with the swim club as she is a member. She asked if the Resolution for Edmunds is all encompassing.

Mr. Pollex said this is the annual maintenance contract for the systems in all the offices.

Ms. Tousman questioned the sewer utility transfer Resolution. She asked if salaries were being taken out of this fund.

Mr. Pollex said this is a transfer to pay additional PSE&G bills.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Diehl, seconded by Councilmember Prasad and duly carried, the public hearing was closed.

Councilmember Lankey requested that Resolution R.056-022012 be pulled for separate vote.

Councilmember Lombardi requested that Resolution R.077-022012 be pulled for separate vote.

The following Resolutions R.057-022012 through R.076-022012 and R.078-022012 through R.086-022012 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Lankey.

AYES - Councilmembers Diehl, Gomez, Lankey, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.

RESOLUTION R.057-022012

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.

RESOLUTION R.058-022012

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the properties on the attached listing have been reduced; and

WHEREAS, the reduction is 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 amount specified on the attached listing, totaling \$47,825.04.

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.

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.

RESOLUTION 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**.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION R.062-022012

RESOLUTION AUTHORIZING A REIMBURSEMENT TO KIMBERLY SZYSKIEWICZ 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**.

/s/Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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**.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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**.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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**.

/s/ Lawrence Pollex
Acting Chief Financial Officer

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.

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.

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.

RESOLUTION R.069-022012

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RUTHE GEARDINO FOR THE RENTAL OF YELENCISCS PARK**

WHEREAS Ruthe Geardino made an overpayment in the amount of \$150.00 for the rental of Yelenciscs 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.

/s/ Larry Pollex
Acting Chief Financial Officer

RESOLUTION 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.

/s/ Larry Pollex
Acting Chief Financial Officer

RESOLUTION R.071-022012

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 NJS 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.

RESOLUTION 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.

RESOLUTION 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.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION 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**.

/s/ Lawrence Pollex
Acting Chief Financial Officer

RESOLUTION R.078-
022012

**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

RESOLUTION R.079-
022012

**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;

<u>FROM:</u>		<u>TO:</u>	
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
TOTAL	\$235,327.17	TOTAL	\$235,327.17,

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.

RESOLUTION R.081-022012

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.

RESOLUTION R.082-022012

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.

RESOLUTION R.083-022012

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.

RESOLUTION R.084-022012

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.

RESOLUTION R.085-022012

BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that they hereby approve the submission of the Safe Routes to School Grant, to repair/replace curbs and sidewalks at James Monroe, John Marshall and Menlo Park Elementary Schools, Fiscal Year 2012, in the amount of \$77,873.

RESOLUTION R.086-022012

WHEREAS, the Metuchen-Edison YMCA, has requested a waiver of any and all permit and/or application fees concerning the construction of an addition and related amenities on the building on the property located at 1775 Oak Tree Road, Edison , NJ 08820; and

WHEREAS, under the building code, The Metuchen-Edison YMCA, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by the Metuchen-Edison YMCA in the amount of the fees waived herein, or

1. If the contract(s) performing the work are required by contract to obtain permits, which cost was part of the price for the worked charged to the Metuchen-Edison YMCA in the amount of the fees waived herein, or
2. If the contract(s) performing the work are not required by contract to obtain permits, which cost was part of the price for the worked charged to the Metuchen-Edison YMCA for this work, and the Metuchen-Edison YMCA is directly obtaining the permits then the Metuchen-Edison YMCA shall be given the permits with fees waived as provided herein.

The following Resolutions will be voted upon separately:

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.

A motion was made by Councilmember Diehl, seconded by Councilmember Prasad to adopt this Resolution.

AYES - Councilmembers Diehl, Gomez, Lombardi, Prasad, and Council President Karabinchak

NAYS - None
Councilmember Mascola was absent.
Councilmember Lankey abstained from voting.

**RESOLUTION 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 1/12th 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

TEMPORARY APPROPRIATIONS		CY 2012		
CURRENT FUND		APPROPRIATED		
2/8/2012		2011		
Office of the Mayor	Salaries and Wages	\$ 39,984.00	0.0833	\$3,331.87
	Other Expenses	\$ 3,264.00		\$271.99
Municipal Council	Salaries and Wages	\$ 34,680.00		\$2,889.88
	Other Expenses	\$ 1,681.00		\$140.08
Ethics Commission	Salaries and Wages	\$ 10,000.00		\$833.30
Office of the Township Clerk	Salaries and Wages	\$ 163,414.00		\$13,617.29
	Other Expenses	\$ 80,506.00		\$6,708.56
Office of the Business Administrator	Salaries and Wages	\$ 314,313.00		\$26,191.70
	Other Expenses	\$ 17,946.00		\$4,246.56
Communications	Salaries and Wages	\$ 98,952.00		\$8,245.67
	Other Expenses	\$ 4,307.00		\$358.90
Division of Central Purchases	Salaries and Wages	\$ 115,938.00		\$9,661.11
Postage	Other Expenses	\$ 107,678.00		\$8,972.81
Centralized Stores	Other Expenses	\$ 60,625.00		\$5,051.88
Miscellaneous	Other Expenses	\$ 1,143.00		\$95.25
Division of Personnel	Salaries and Wages	\$ 103,663.00		\$8,638.24
	Other Expenses	\$ 86,142.00		\$7,178.21

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	\$0.00
	Other Expenses	\$ 46,667.00	\$2,858.05
Division of Custody and Disbursements	Other Expenses	\$ 51,531.00	\$3,888.76
	Salaries & Wages	\$ 176,584.00	\$0.00
	Other Expenses	\$ 1,938.00	\$41,000.00
Division of Tax Collection	Salaries and Wages	\$ 215,137.00	\$0.00
	Other Expenses	\$ 34,394.00	\$17,927.37
Division of Tax Assessment	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	\$13,313.63
Division of Parks	Salaries and Wages	\$ 735,000.00	\$0.00
	Other Expenses	\$ 88,700.00	\$73,552.06
	Salaries and Wages	\$ 735,000.00	\$0.00
	Other Expenses	\$ 88,700.00	\$61,247.55
			\$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
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
Department of Public Works	Salaries and Wages	\$ 804,500.00	\$0.00
Municipal Garage	Other Expenses	\$ 68,714.00	\$0.00
Vehicle Impound Area	Salaries and Wages	\$ 88,000.00	\$0.00
	Other Expenses	\$ 4,900.00	\$408.32
Fuels and Lubricants for Mun. Equipt.	Other Expenses	\$ 735,399.00	\$61,280.80
Street Lighting	Other Expenses	\$ 1,000,000.00	\$0.00
Division of Streets	Salaries and Wages	\$ 1,600,000.00	\$133,328.00
	Other Expenses	\$ 330,500.00	\$27,540.57
Division of Public Buildings	Salaries and Wages	\$ 1,323,734.00	\$110,306.75
	Other Expenses	\$ 187,861.00	\$15,654.46
Division of Sanitation	Salaries and Wages	\$ 1,100,000.00	\$91,663.00
	Other Expenses	\$ 39,850.00	\$3,320.70
Public Defender	Salary and Wages	\$ 29,000.00	\$0.00
	Other Expenses	\$ 2,000.00	\$0.00
Department of Planning and Engineering	Salaries and Wages	\$ 290,000.00	\$24,165.70
Division of Planning and Zoning	Other Expenses	\$ 1,575.00	\$131.24
Community Development	Salaries and Wages		\$0.00
Planning Board	Other Expenses	\$ 33,950.00	\$2,829.05

Zoning Board	Salaries and Wages			\$0.00
	Other Expenses			\$0.00
Rent Control Board	Salaries and Wages	\$ 33,450.00		\$2,787.39
	Other Expenses			\$0.00
Environmental Commission	Salaries and Wages	\$ 7,500.00		\$624.98
	Other Expenses	\$ 7,500.00		\$624.98
	Other Expenses			\$0.00
Division of Engineering	Other Expenses	\$ 300.00		\$25.00
	Salaries and Wages			\$0.00
	Other Expenses	\$ 426,787.00		\$35,564.16
Group Insurance	Other Expenses	\$ 102,612.00		\$8,550.66
	Other Expenses			\$0.00
Other Insurance and Surety Bonds	Other Expenses	\$15,198,191.00		\$0.00
	Other Expenses			\$0.00
First Aid Organizations	Other Expenses	\$ 1,507,113.00		\$1,381,525.27
	Other Expenses			\$0.00
Office of Emergency Management	Other Expenses	\$ 105,000.00		\$0.00
	Other Expenses			\$0.00
Condominium Services	Other Expenses	\$ 18,900.00		\$1,574.94
	Other Expenses			\$0.00
Employees' Unemployment Insurance	Other Expenses	\$ 110,000.00		\$0.00
	Other Expenses			\$0.00
Celebration of Public Events	Other Expenses	\$ 350,000.00		\$29,165.50
	Other Expenses			\$0.00
Municipal Court	Other Expenses	\$ 50,000.00		\$4,166.50
	Salaries and Wages			\$0.00
	Other Expenses	\$ 583,888.00		\$48,655.39
Uniform Construction Code	Other Expenses	\$ 77,732.00		\$6,477.41
	Salaries and Wages			\$0.00
	Other Expenses	\$ 796,322.00		\$66,357.51
Social Security	Other Expenses	\$ 1,043,000.00		\$86,913.19
	Other Expenses			\$0.00
	Other Expenses	\$ 2,083,274.00		\$173,599.22

Library			
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		\$ 32,000.00
TOTAL SEWER OPERATIONS		\$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

A motion was made by Councilmember Diehl, seconded by Councilmember Gomez to adopt this Resolution.

AYES - Councilmembers Diehl, Gomez, Lankey, Prasad, and Council President Karabinchak

NAYS - None

Councilmember Mascola was absent.

Councilmember Lombardi abstained from voting.

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
- c. Electronic Mail Message from Mayor Antonia Ricigliano regarding changing the school board election to November - receive

On a motion made by Councilmember Diehl, seconded by Councilmember Prasad and duly carried, the above Communications were received.

ORAL PETITIONS AND REMARKS

Council President Karabinchak opened the meeting for public comment.

Emil Ferlicchi, 2 Ethel Road, spoke about a recent law adopted that gives the Township the authority to move the elections for the school board from April to November. This legislation would enhance both the Board of Education and the municipality. Moving the election to November would create the need for one election to accommodate everything and would save the Board of Education about \$50,000. He felt this was a good move and the Governor supports this move. He said 238 municipalities have signed up for this. It would allow greater participation in the election and eliminate the vote for the school board budget if it is within the 2% cap. He noted that when the school budget is voted down, it goes to the Town Council.

Councilmember Dr. Prasad said saving money is important but he felt it is more important what the people of Edison want instead of what the Governor wants. He thought the time has passed for the Governing body to act. He said today was the last meeting for this to be done and it is not on the agenda.

Mr. Ferlicchi said he sent letters to the Board of Education members and he received no response. He felt the money saved could be put back into the School Board budget.

Councilmember Dr. Prasad asked if he received any feedback from the Edison residents. He felt the municipalities that already voted on this made the correct choice for them. He felt Edison should get public input.

Jane Tousman, 14 Butler Road, spoke about the open public meetings act and felt the Council is getting sloppy with this along with the Planning Board. She said a public hearing is for the public to give input before any action is taken. She mentioned Revlon and said this was voted on at the Planning Board and then a public hearing was held afterwards. She also spoke about the Resolution on the Dismal Swamp. She felt the Revlon application is very controversial and people in the area are concerned with contamination at this site along with the traffic impact.

Council President Karabinchak said he appreciates Ms. Tousman's comments. He said the Revlon site has issues. The introduction of this Ordinance puts the responsibility on the owner to remediate the site. This is a new owner. He felt in this economic time if someone is going to sink millions into a project it is a great thing. He said this will provide temporary and permanent jobs. This will also remediate the site. He was sure the public had an opportunity to speak at the Planning Board. He said this is not over yet. It will be back before the Planning Board and the public will have a lot of opportunity to speak and raise issues. He disagreed with her regarding the Visco property. He said there was a special hearing that went on for many hours and everyone had an opportunity to speak.

Lois Wolke, 10 Peake Road, said she went to the Planning Board meeting. She felt the development of the property would be beneficial to the Township but she had a problem with the meeting process. This was a special emergency meeting that was not on the Edison website, calendar or home page. She was told by the Chairman of the Planning Board that they were not allowed to speak on this Resolution. She asked why this could not be held at the next regular meeting and had to be fast tracked like this. The Planning Board Chairman said the Council asked for this to be put on.

Council President Karabinchak assured the public that comments will be accepted and listened to. He will call Mr. Soltesz and ask why the public was not allowed to speak.

Ms. Wolke asked about the rewording in the Ordinance.

Mr. Kemm said some were just grammatical issues and to clarify matters.

Ms. Wolke spoke about changing the Board of Education election. She felt this is a big step and did not think we should just jump into this without letting the people of Edison have a say. She appreciates Mr. Ferlicchi's concerns regarding the cost and hoped he would keep that in mind for other issues.

Robert Yackel, 25 Dellwood Road, spoke about the SAFER grant. He felt the Resolution should be forwarded to Congress and Senators. He said we have not replaced a Firefighter since 2006 and would like to request a copy of this application as soon as possible. The International Union has been instrumental in lobbying Congress. He said we need to have a test in place. If we receive a grant and there is no list in place, then we cannot hire.

Council President Karabinchak instructed the Township Clerk to send this to Congress and the Senators. He agreed that the Township should have a hiring procedure in place to replace the men that are retiring and felt this is long overdue. He said government is strictly about services and asked the Public Safety Committee to look into this immediately.

Gene Maeroff, Board of Education President, commended the Council for not putting the Resolution on the agenda this evening pertaining to the School Board elections. This is a matter that should be approached in a deliberative fashion and he noted that if this is done, it cannot be changed for four years. He said 60% of the school boards are not doing this and he felt the public should weigh in on this. The School Board presented a budget that passed last year and he felt they could stay under the 2% cap again this year. He thought this is something that can happen in due time but did not understand how the Legislators allowed the Council to usurp the Board's authority on this.

Fred Wolke, 10 Peake Road, said as President of the Metuchen Edison Historical Society he is inviting everyone to take part in their local history day event on February 12th. The theme of this year's event is the Civil War. He spoke about the sewer system and read the comments from the newspaper. He commended Council President Karabinchak for putting forth a plan for the sewer project.

Julian Zames, 17 Stiles Road, asked about the Hartz site.

Council President Karabinchak said unfortunately it is economics that are hurting the site. The second box store rescinded its position.

Mr. Zames said last year he attended the local history day event and said it was outstanding.

Esther Nemitz, 162B Fay Street, spoke about Grandview Avenue and felt the road surface is beginning to crumble. She said she was not happy with Revlon being put on this way and was concerned with the Planning Board having an emergency meeting. She said there were a lot of questions raised at last years meeting about this site. She spoke about the access to the property and felt there will be major traffic problems.

Council President Karabinchak said all of the issues are not complete. There is still time to do this. The applicant will have to provide a traffic study. He said many issues have to be adopted in the redevelopment agreement.

Burton Gimelstob, 6 Churchill Road, asked about the appointment of a CFO.

Mr. Kemm said this is an acting appointment and it rests with Administration.

Mr. Gimelstob asked about the advertisement for the CFO. He said Janice Sapanora has been hired at \$100,000. He spoke about former CFO Frank DeRosa. He read an article in the paper that said Ms. Sapanora failed the second part of the CFO exam.

Ms. Ruane said the second part is on statutes.

Mr. Gimelstob asked if we contacted Rutgers Business School or Seton Hall University to see if anyone was interested.

Maryann Hennessey, 20 Carmello Drive, asked if we hired Ms. Sapanora to be the CFO.

Ms. Ruane said we have offered her the job.

Ms. Hennessey asked her experience.

Mr. Kemm said we cannot discuss her qualifications or background until she accepts the job.

Ms. Hennessey said she worked in Hazlet first and then went to Hillside. She asked the difference between a Treasurer and a CFO.

Mr. Pollex said the CFO is a defined position requiring a license with the State. A Treasurer does not require the duties, responsibilities or certification of a CFO. The responsibilities of a CFO are broader.

Ms. Hennessey said Hazlet and Hillside are smaller towns. She said we have been looking for a CFO for awhile but felt this person may not be able to handle this.

Ms. Ruane said if we hired a CFO it would have to be for a four year appointment. Ms. Sapanora is being hired as an Acting CFO.

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Lankey and duly carried.

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Prasad, the meeting was adjourned at 8:21 p.m.

Robert Karabinchak
Council President

Reina A. Murphy, RMC
Municipal Clerk