

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION AND REGULAR MEETING  
February 10, 2014**

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 6:05 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lombardi, Mascola, and Prasad  
Councilmember Shah entered at 6:09 p.m.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, Finance Director Saponaro, Public Works Director Roderman, Health Director Elliot, Township Engineer Medina, Recreation Director Halliwell, Police Captain Polkowitz, Fire Chief Latham 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 14, 2013, an additional notice was sent on January 29 2014 combining this meeting and posted in the Main Lobby of the Municipal Complex on the same date.

- 4. ADMINISTRATIVE AGENDA;  
FROM MAYOR THOMAS LANKEY:**  
a. No comment was made.

- 5. REPORTS FROM ALL COUNCIL COMMITTEES:**  
None

- 6. POINTS OF LIGHT**  
None

- 7. FROM THE BUSINESS ADMINISTRATOR:**  
a. and b. No comments were made.

- c. Councilmember Mascola asked for an explanation.

Ms. Ruane said this is an annual maintenance contract renewal.

No comments were made.

- 8. FROM THE DEPARTMENT OF FINANCE:**  
a. through c. No comments were made.

- d. Council President Karabinchak asked if this exceeds the 26.25%.

Ms. Saponaro explained that this is for other bills that have to be paid and there is not enough in the temporary budget.

Councilmember Gomez asked if these are 2014 expenses.

Ms. Saponaro said "yes".

- 9. FROM THE DEPARTMENT OF LAW:**  
a. through f. No comments were made.

- 10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**  
a. through g. No comments were made.

- 11. FROM THE DEPARTMENT OF PUBLIC WORKS:**  
a. No comment was made.

- b. Councilmember Diehl commented that he is researching these plows and would like to pull Resolution R.070-022014 off the agenda.

- 12. FROM THE DEPARTMENT OF RECREATION**  
a. No comment was made.

- 13. FROM THE CHIEF OF FIRE:**  
a. No comment was made.

14. **FROM THE CHIEF OF POLICE:**

- a. and b . No comments were made.
- c. Council President Karabinchak asked for an explanation.

Police Captain Polkowitz explained that this system is working well and eliminates the need for Police Officers to respond to minor crimes.

15. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

Councilmember Mascola said the meeting was held on January 22<sup>nd</sup> and two applications were heard. The first was to change a portion of a building on Oak Tree Road to a day care center which was approved. The second one was to re-zone two lots on Sylvan Dell which was also approved.

**COMMUNICATIONS:**

Council President Karabinchak added the following communications to the agenda. They were received as submitted.

- a. Electronic Mail received from Mr. Yang regarding Snow plowing issues.
- b. Letter received from Mr. Ellison regarding the Truck still be parked at 98 Loring Avenue.
- c. Electronic Mail received from Ms. Garcia and Mr. Kaczorowski regarding Issues on Ashbrook Drive.

17. **DISCUSSION ITEMS:**

**Council President Karabinchak:**

- a. He said there are a lot of changes coming this year in order to move Edison into the 21<sup>st</sup> century. We have a wealth of expertise on the Council and also in the Mayor's office.

**Councilmember Diehl:**

- a. He said he has received a lot of telephone calls regarding snow-plowing and how the process works. He asked for an explanation.

Mr. Roderman said it depends on several factors such as time and duration of the storm. There are thirty-seven routes with a vehicle in each route manned for eight to twelve hours. There are six tandem routes to clear the main roads.

Councilmember Diehl asked about the shelf-life of salt

Mr. Roderman said there has been a supply issue this year throughout Middlesex County but it is getting better. He said the salt lasts from year to year.

Councilmember Diehl asked how often do we re-salt during a storm.

Mr. Roderman said it depends on the temperature and the traffic.

Councilmember Diehl asked Mr. Roderman to grade the Township's equipment.

Mr. Roderman said he would give it a "C".

Councilmember Diehl asked Mr. Roderman if our manpower is sufficient.

Mr. Roderman said under normal conditions it is sufficient, otherwise "no".

**Councilmember Gomez:**

- a. He asked if the Resolution on the agenda is for the purchase of additional snow plows.

Mr. Roderman said this just makes us even.

**Councilmember Lombardi:**

- a. None

**Councilmember Mascola:**

- a. He asked for an explanation of Resolution R.065-022014 regarding the contract for financial controls.

Ms. Ruane said we have needed a middle man for nine years to intergate our ADP payroll system with Edmunds and this may be the best money we have ever spent.

Council President Karabinchak said the transition team found that we should have a consistent payroll system with no manual integration.

Councilmember Gomez said this is for redesign and implementation. We need to have the ability to break things down, run reports and have transparency.

Councilmember Mascola felt that no one in the Township knows how to run Edmunds. He said when you buy a system you tell them what you want. He felt this is the wrong and expensive way to go and he will abstain from this as he does not have enough information to make a decision.

Councilmember Dr. Prasad felt that the need is there and we must decide on the best way to achieve it and at what cost.

**Councilmember Prasad:**

a. He asked about our running out of salt.

Mr. Roderman said this has not happened since 1994 and it is statewide.

**Councilmember Shah:**

None

**18. CLOSED SESSION:**

Council President Karabinchak announced that the Council will be going into closed session.

The Council retired to Closed Session at 7:30 p.m. on a motion made by Councilmember Diehl, seconded by Councilmember Gomez and duly carried. The Township Clerk read the following Resolution into the record:

**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) Litigation Matter of Matthew Freeman

**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 7:55 p.m. on a motion made by Councilmember Diehl, seconded by Councilmember Gomez and duly carried.

**19. COUNCIL PRESIDENT’S REMARKS**

Council President Karabinchak said this council is investing in the future of Edison. We need to create new jobs and bring new businesses to Edison.

**20. APPROVAL OF VOLUNTEER FIREFIGHTERS:**

Applications for membership were received by:

Raritan Engine Co. #1

Richard W. Schreck

Ojasvi Arora

Thomas Owens

Raritan Engineer Co. #2

Ronnie A. Pritchard

A motion was made by Councilmember Diehl, seconded by Councilmember Mascola, and duly carried, the above applications were approved.

**21. ADMINISTRATIVE AGENDA  
FROM MAYOR LANKEY:**

January 10, 2014

Honorable Member of Council  
c/o Cheryl Russomanno, Acting Township Clerk  
100 Municipal Blvd.  
Edison, New Jersey 08817

Dear honorable Members of the Council:

I am pleased to advise you that I hereby appoint Donald Corrette of 278 Grandview Avenue, 08837, as a first alternate member of the Edison Township Planning Board. Mr. Correte's term will expire on December 31, 2014.

Thank you in advance for your attention to this matter.

Respectfully,

/s/ Thomas Lankey  
Mayor

Cc: Donald Corrette  
Lillian Triola, Administrative Officer, Planning Board  
Sherri, Ruggeri, Chairwoman

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

**22. NEW BUSINESS:  
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, FEBRUARY 26, 2014:**

The following Ordinance was introduced by title:

O.1854-2014      ORDINANCE ESTABLISHING THAT THE MAYOR, WHEN ASKED TO OFFICIATE A MARRIAGE OR CIVIL UNION, MAY REQUEST THAT A VOLUNTARY CONTRIBUTION OF TWO HUNDRED DOLLARS (\$200.00) BE MADE DIRECTLY TO A RECOGNIZED 501 © (3) TAX-EXEMPT CHARITY, IN LIEU OF REQUIRING A FEE.

Councilmember Diehl asked what other municipalities charge.

Mr. Northgrave explained that the only thing changing is a list of required charities. You may donate to any 501 © (3) tax-exempt charity of your choice.

On a motion made by Councilmember Lombardi, seconded by Councilmember Mascola, 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 26, 2014.

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

NAYS - None

O.1855-2014      ORDINANCE AMENDING THE EDISON TOWNSHIP CODE TO INCREASE THE DOLLAR AMOUNT FOR WHICH THE BUSINESS ADMINISTRATOR MAY CONTRACT FOR GOODS OR SERVICES WITHOUT THE NECESSITY OF OBTAINING MUNICIPAL COUNCIL APPROVAL.

On a motion made by Councilmember Mascola, seconded by Councilmember Prasad, 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 26, 2014.

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

NAYS - None

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Karabinchak opened the meeting to the public for comments on Proposed Resolutions R.049-022014 through R.081-022014.

Bill Brunner, 215 Loring Avenue, on Resolution R.065-022014, he felt if Mr. Petrucelli's company can solve this problem in six hundred hours, it is a bargain. He said this nitpicking is ridiculous and we have wasted much more money than this over the years and should get on with the work.

Bruce Diamond, Calvert Avenue, on Resolution R.077-022014, he said he is confused if this is another political patronage job.

Mr. Northgrave said he is an at will employee.

Lois Wolke, 10 Peake Road, said she has concerns on Resolutions R.079-022014 through R.081-022014 regarding all the attorney contracts.

Mr. Northgrave explained his contract and fees.

Ms. Wolke asked if the ten year contract term on Resolution R.054-022014 is correct

Ms. Ruane said that is correct.

Esther Nemitz, 162B Fay Street on Resolution R.065-022014, she asked what the correct amount is.

Mr. Northgrave said we are amending Resolution R.65-022014 to read that the first payment is not to exceed \$25,000 and they will report back to the Council before continuing with the full \$75,000.00.

Fred Wolke, 10 Peake Road, thanked Councilmembers Gomez and Karabinchak for their explanation of Resolution R.065-022014. He said Mr. Petrucelli sits on the Finance Committee and has a great deal of knowledge. He felt this is a bargain and well needed and he urged this to pass.

Councilmember Dr. Prasad said he will be supporting Resolution R.077-022014.

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

Councilmember President Karabinchak requested that Resolution R. 054-022014 be pulled for separate vote.

Councilmember Shah requested that Resolution R.065-022014 be pulled for separate vote.

Councilmember Diehl request Resolution R.070-022014 be pulled for separate vote.

Councilmember Dr. Prasad requested R.077-022014 to be pulled for a separate vote.

The following Resolutions R.049-022014 through R.053-022014, R.055-022014 through R.064-022014, R.066-022014 through R.069-022014, R.071-022014 through R.076-022014 and R.078-022014 through R.081-022014 were adopted under the Consent Agenda on a motion made by Councilmember Diehl, and seconded by Councilmember Lombardi.

**RESOLUTION R.049-022014**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING February 6, 2014

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through February 6, 2014

FUND	AMOUNT
Current	\$21,419,131.72
Affordable Housing	3,987.50
Capital	187,256.23
Cash Performance	0.00
CDBG	12,400.00
Developers Escrow	24,045.86
Dog (Animal Control)	8,519.44
Federal Forfeited	27,386.14
Grant Funds	7,520.06
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	837,537.45
Sanitation Fund	110,435.44
Sewer Utility	2,177,220.01
Tax Sale Redemption	1,404,205.03

Water Operation Fund	0.00
Tree Planting	0.00
Trust	355,331.54
<b>TOTAL</b>	<b>\$26,574,976.42</b>

/s/ Janice Saponaro  
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.050-022014**

**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 **\$535,151.87**.

**RESOLUTION R.051-022014**

**WHEREAS**, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

**WHEREAS**, resolution R.802-122013 authorized overpayment to RSI Bank in the amount of \$903.79; and

**WHEREAS**, payment should have been made to the homeowner, Daniel Stoe, 100 Main St., Metuchen, NJ 08840;

**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 correct the previous resolution and issue payment to Daniel Stone in the amount of \$903.79 as indicated herein.

**RESOLUTION R.052-022014**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO QUAL-LYNX(formally known as Scibal Associates) FOR OVERPAYMENT OF WORKERS COMPENSATION BENEFITS**

**WHEREAS**, Qual-Lynx, made an overpayment for Workers Compensation Benefits to the Township of Edison for the amount of \$578.61; and

**WHEREAS**, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Qual-Lynx for overpayment of \$578.61.

**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 \$578.61 to Qual-Lynx of 100 Decadon Drive Egg Harbor Twp., NJ 08234, which amount represents the amount of overpayment for Workers Compensation Benefits.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed **\$578.61** are available for the above refund in Account No. **3-01-55-0291-000-000**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.053-022014**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO GEETHA VENKATACHALAM**

**WHEREAS**, Geetha Venkatachalam, made payment in advance in the amount of \$160.00 for her child Parth Harish's participation in the ABC Program at James Madison Intermediate School for the month of January; and

**WHEREAS**, Geetha Venkatachalam removed her child from the program prior to the beginning of the month and within the amount of time allowed for a reimbursement.

**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 \$160.00 to Geetha Venkatachalam, 811 New Dover Road, Edison, NJ 08820, which amount represents the monthly cost of the program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$160.00 are available in Account #4-01-55-0291-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.055-022014**

**EXPLANATION:** This resolution provides for refund of applicant fee posted for Building Permit 20132181.

**WHEREAS**, On November 12, 2013, Building Permit Fee check #191 was posted in the amount of \$603.00 by the homeowner, Shailesh Bhaisare, of 38 Rahway Road, Edison, NJ 08820 for 38 Rahway Road; and

**WHEREAS**, the applicant was overcharged a subcode fee for a fireplace in the amount of \$75.00.

**WHEREAS**, it is therefore appropriate that the amount of \$75.00 be refunded to the applicant; and

**WHEREAS**, the Township Engineer recommends the refund of the Building Permit Fee in the amount of \$75.00 for the above referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum of \$75.00 posted by Shailesh Bhaisare for Building Permit Fee for 38 Rahway Avenue be refunded to Shailesh Bhaisare.

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 from the Refund of Revenue Fund to the applicant.

**RESOLUTION R056-022014**

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

**WHEREAS**, on November 21, 2013, a Construction (Building) Permit fee, Check #21014, permit #20134901, was posted in the total amount of \$152.00 by the contractor, 1 800 Heaters, Inc., having offices at 2 Gourmet Lane, Edison, NJ 08837; and

**WHEREAS**, the application was submitted for a water heater at 65 Wooding Avenue by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$150.00, derived from the \$152.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the Homeowner Joseph DeMeo, residing at 65 Wooding Avenue, Edison, NJ 08817; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20134901, in the amount of \$150.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on construction permit fees posted by 1 800 Heaters, Inc., for 65 Wooding Avenue be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the Homeowner, Joseph DeMeo at 65 Wooding Avenue, Edison, NJ 08817.

**RESOLUTION R.057-022014**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to J&M Storage on Established Site Plan Tree Plantings at 1939 Oak Tree Road under Tree Permit No. 08-035.

**WHEREAS**, on March 28, 2008, J&M Storage posted Tree Maintenance Bond fees in the amount of \$1,665.00 on deposit with the Township of Edison in account #7760275060 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-035 for property located at 1939 Oak Tree Road; 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 \$1,665.00, plus accrued interest, if applicable, be refunded to the applicant;

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of \$1,665.00 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 \$1,665.00, plus accrued interest, if applicable, on deposit in Account #7760275060 to J&M Storage having an address of 1939 Oak Tree Road, Edison N.J. 08820.

**RESOLUTION R.058-022014**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to Ferrante Landmark, LLC Site Plan Tree Plantings at 1564-1566 Lincoln Hwy under Tree Permit No. 08-101.

**WHEREAS**, on March 20, 2009 Ferrante Landmark, LLC posted Tree Maintenance Bond fees in the amount of \$1,665.00 on deposit with the Township of Edison in account #7760275092 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Permit # 08-101 for property located at 9 Universal Avenue; 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 \$1,665.00, 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 \$1,665.00 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 \$1,665.00, plus accrued interest, if applicable, on deposit in Account #7760275092 to Ferrante Landmark, LLC having an address of 185 Marshall Woodsville, Rd, Pennington, NJ 08534-3703.

**RESOLUTION R.059-022014**

**EXPLANATION:** Release of Maintenance Bond posted for Ferrante Landmark, LLC, 1564- 1566 Lincoln Highway.

**WHEREAS**, the Township Engineer advises that an inspection has been made of the Ferrante Landmark, LLC site, located in Block(s) 381 & 382, and Lot(s) 7A, 8A, 10A, 11A, 47, 48 & 49, under Application # Z29-04/05, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

**WHEREAS**, on November 21, 2011, Ferrante Landmark, LLC posted a Maintenance Bond Check #1694187 in the amount of \$13,145.25 on deposit in account #7761417257 with the Township of Edison, 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 check #1694187 in the amount of \$13,145.25, plus accrued interest, if applicable, principal being Ferrante Landmark, LLC having offices at 185 Marshall-Woodsville Road, Pennington, N.J. 08534 and acceptance of the subject improvements; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond in the amount of \$13,145.25, 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 \$13,145.25, plus accrued interest, if applicable, on deposit in account #7761417257 to the applicant.

**RESOLUTION R.060-022014**

**EXPLANATION:** Resolution releasing Cash Performance and Performance Bond To BPG Hotel XXIII Owner LLC under application # P56-07/08.

**WHEREAS**, the Township Engineer advises that an inspection has been made of BPG Hotel XXIII Owner LLC Application #P56-07/08 located at Raritan Center Parkway & Fieldcrest Ave, on Block 390-D, Lot(s)

14 & 15, 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 for this project was issued on November 13, 2008, and the required two-year Maintenance Bond was posted on July 20, 2009; and

**WHEREAS**, the Township Engineer, recommends the release of the Performance Bond No. 30BSBDS0218 of Hartford Fire Insurance Company posted on October 7, 2008 in the amount of \$267,675.19 with the Township of Edison, principal being BPG Hotel XXIII Owner LLC and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer, recommends the release of the Cash Performance Check #254 posted on September 24, 2008 in the amount of \$29,741.69, plus accrued interest, if applicable, on deposit in account #7760013361 with the Township of Edison, principal being BPG Hotel XXIII Owner LLC having offices at 322 A Street, Wilmington, DE 19801, 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 \$267,675.19 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 \$29,741.69 plus accrued interest, if applicable, on deposit in account #7760013361 to the applicant.

**RESOLUTION R.061-022014**

**EXPLANATION:** Resolution to refund unexpended developer plan review escrow fees.

**WHEREAS**, the Township Planning Board Secretary advises that the Developer Escrow Fees have been posted by Richard Ragan ( Solar Wind LLC. ) for a project located at ( ILR Landfill) Mill Road, N.J. 08837, in Block 399, Lots 1-4 ,8,10,16-25,30,35,37-41,43-47,49-52,54,56,57,58, and under Application #P32-09/10; and

**WHEREAS**, the applicant was required to post Developer Escrow Fees, pursuant to Township Ordinance, for Board plan review; and

**WHEREAS**, on December 31, 2010 Richard Ragan posted fees on deposit with the Township of Edison in the account # 7760296123 for the required Developer Escrow Fees; and

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

**WHEREAS**, it is now in order that the sum in the amount of \$1,368.87, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Richard Ragan;

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$1,368.87 plus accrued interest, if applicable, be refunded to Richard Ragan, 108 Murfield Court, Moorestown, N.J. 08057-3954;

**BE IF FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund the sum of \$1,368.87 plus accrued interest, if applicable, in account #7760296123 to the applicant.

**RESOLUTION R.062-022014**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO CHASIDEE MALDONADO**

**WHEREAS**, Chasidee Maldonado, made payment in the amount of \$240.00 for her children Juan and Raymond Betances' participation in the ABC Program at Lincoln Elementary School for the month of December; and

**WHEREAS**, Catholic Charities agreed to pay the children's aftercare tuition starting with the month of December, which resulted in a duplicate payment.

**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 \$240.00 to Chasidee Maldonado, 26 Crescent Road, Edison, NJ 08817, which amount represents the monthly cost of the program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$240.00 are available in Account #4-01-55-0291-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.063-022014**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
VIDYA KULKARNI**

**WHEREAS**, Vidya Kulkarni, made payment in advance in the amount of \$160.00 for her child Ramaa Sachin Deshpande’s participation in the ABC Program at Woodbrook School for the month of February; and

**WHEREAS**, Vidya Kulkarni moved and had to remove her child from the program prior to the beginning of the month and within the amount of time allowed for a reimbursement.

**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 \$160.00 to Vidya Kulkarni, 2 Parker Road, Plainsboro, NJ 08536, which amount represents the monthly cost of the program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$160.00 are available in Account #4-01-55-0291-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.064-022014**

**RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO EDMUNDS & ASSOCIATES, INC.  
FOR RENEWAL OF SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM FOR 2014**

**WHEREAS**, the Township of Edison needs to renew the software maintenance for the Edmunds System for the year 2014; 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., 301A Tilton Road, Northfield, NJ 08225, has submitted a proposal to provide such services for the year 2014 at a total cost of \$48,495.00; and

**WHEREAS**, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

**WHEREAS**, EDMUNDS & ASSOCIATES, INC., 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 EDMUNDS & ASSOCIATES, INC. from making any reportable contributions through the term of the contract.

**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 4-01-20-0140-000-059, subject to and contingent upon appropriation of sufficient funds in the 2014 budget; and

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$48,495.00, with EDMUNDS & ASSOCIATES, INC., 301A 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. **4-01-20-0140-000-059**, subject to and contingent upon appropriation of sufficient funds in the 2014 budget.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.066-022014**

**RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO EDWARDS TIRE**

**COMPANY INCORPORATED FOR GOODYEAR TIRES AND TUBES**

**WHEREAS**, there is a need to purchase Goodyear Tires and Tubes for the maintenance of the Township of Edison vehicles; and

**WHEREAS**, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82527 under M-8000/WSCA Tires, Tubes and Services; and

**WHEREAS**, the total amount of this contract, not to exceed \$100,000.00, cannot be encumbered at this time; 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; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$100,000.00 and any other necessary documents, with EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 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. 82527/M-8000.

**RESOLUTION R.067-022014**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT CONTRACT WITH CNI OFFICE SUPPLIES COMPANY IN AN AMOUNT NOT TO EXCEED \$20,000.00**

**WHEREAS**, CNI OFFICE SUPPLIES COMPANY was awarded Contract No. 13-02-03 Supplies For Office Equipment, through Resolution R. 492-082013 for the period September 26, 2013 through September 26, 2014, in the amount of \$16,000.00 and that amount has been depleted; and

**WHEREAS**, the Township recommends additional funds in the amount not to exceed \$20,000.00 to replenish and complete the one year term of the contract with CNI OFFICE SUPPLIES COMPANY, with all prices as well as all terms and conditions to remain the same until such as time the contract expires; and

**WHEREAS**, the total amount of this contract, not to exceed \$20,000.00, cannot be encumbered at this time; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein.

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$20,000.00, and any other necessary documents, with CNI OFFICE SUPPLIES COMPANY described herein.

**RESOLUTION R.068-022014**

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$1,100.00 FOR A-PLUS CONSTRUCTION FOR CASE NUMBER 0213, FOR A TOTAL REVISED CONTRACT AMOUNT OF \$9,800.00**

**WHEREAS**, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2011 Consolidated Annual Action Plan; and

**WHEREAS**, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

**WHEREAS**, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, was awarded a contract through resolution R.035-012014 on January 23, 2014 in the amount of \$8,700.00; and

**WHEREAS**, during the course of the work, additional electrical and plumbing repairs were found to be needed as the existing panel needed another breaker and pipes were corroded in baseboards; and

**WHEREAS**, funds in the amount of \$1,100.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-12-0510-000-001.

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Change Order No. 1 be awarded to A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 in an amount not to exceed \$1,100.00 resulting in a total contract amount of \$9,800.00.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$1,100.00** are available for the above contract in Account No. **T-14-12-0510-000-001**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.069-022014**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FOLEY INCORPORATED FOR TRUCK TRANSMISSION REPAIR**

**WHEREAS**, bids were received by the Township of Edison on January 9, 2014 for Public Bid No. 13-09-07, Truck Transmission Repair, for the Department of Public Works; and

**WHEREAS**, TRANSAXLE, LLC was rejected due to failure to complete the stockholders form correctly; and

**WHEREAS**, FOLEY INCORPORATED, 855 Centennial Avenue, Piscataway, NJ 08855, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$50,000.00, cannot be encumbered at this time; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by FOLEY INCORPORATED, 855 Centennial Avenue, Piscataway, NJ 08855 for Truck Transmission Repair for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00 and any other necessary documents, with FOLEY INCORPORATED, as described herein.

**RESOLUTION R.071-022014**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EAST COAST EMERGENCY LIGHTING TO OUTFIT SEVEN (7) NEW POLICE VEHICLES**

**WHEREAS**, there is a need to outfit seven (7) new marked police vehicles with Progard Rear Window Bars; and

**WHEREAS, EAST COAST EMERGENCY LIGHTING, INC.**, 200 Meco Dr., Millstone Township, NJ 08535, has been awarded State Contract 81327 under T-0106/Police and Homeland Security Equipment and Supplies and under this contract these police vehicles shall be outfitted as listed herein; and

**WHEREAS**, funds in the amount of \$1,155.00 (\$165.00 per vehicle) have been certified to be available in the Police Vehicles Maintenance of Other Equipment, Number 4-01-26-0315-002-026; 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; and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$1,155.00 and any other necessary documents, with EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Dr., Millstone Township, NJ 08535, 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. 81327 under T-0106.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$1,155.00** for the above have been certified to be available in Account Number **4-01-26-0315-002-026**.

/s/ Janice A. Saponaro  
Chief Financial Officer

**RESOLUTION R.072-022014**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ELRAC, LLC HOLDINGS  
D/B/A ENTERPRISE RENT A CAR FOR RENTAL VEHICLES FOR THE DIVISION OF POLICE**

**WHEREAS**, bids were received by the Township of Edison on January 15, 2014 for Public Bid No. 14-10-06-Rental Vehicles for the Division of Police; and

**WHEREAS**, ELRAC, LLC HOLDINGS, D/B/A ENTERPRISE RENT A CAR, 4900 Route 33, Suite 201, Neptune, NJ 07753, submitted the lowest legally responsible bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$30,000.00, cannot be encumbered at this time; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheets.

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

1. All bids have been reviewed, and the bid by ELRAC, LLC HOLDINGS, D/B/A ENTERPRISE RENT A CAR, 4900 Route 33, Suite 201, Neptune, NJ 07753 for Rental Vehicles for the Division of Police is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00 and any other necessary documents, with ELRAC, LLC HOLDINGS, D/B/A ENTERPRISE RENT A CAR.

**RESOLUTION R.073-022014**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO COPLOGIC, INC. FOR AN ONLINE  
REPORTING SYSTEM FOR THE DIVISION OF POLICE**

**WHEREAS**, the Township of Edison needs to renew the software for the Online Reporting System for the Division of Police; 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**, COPLOGIC, INC., 231 Market Place, Suite 520, San Ramon, CA 94583, has submitted a proposal to provide such services for a one year term from March 2, 2014 through March 1, 2015 at a total cost of \$7,718.00; and

**WHEREAS**, funds in the amount of \$7,718.00 have been certified to be available in the Police Department Computer Hard & Software Account, Number 4-01-25-0240-000-059; and

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$7,718.00, with COPLOGIC, INC., 231 Market Place, Suite 520, San Ramon, CA 94583 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 **\$7,718.00** are available for the above contract in Account No. **4-01-25-0240-000-059**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.074-022014**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO INNOVATIVE DATA SOLUTIONS/POWER DMS FOR THE MAINTENANCE AND SUPPORT OF POWER DMS**

**WHEREAS**, the Township of Edison needs to renew the annual software subscription to Power DMS – the policy, testing, surveying and training software for the Division of Police; and

**WHEREAS**, such annual renewal for the support of proprietary software and hardware may be awarded without public advertising for bids or bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd); and

**WHEREAS**, INNOVATIVE DATA SOLUTIONS/POWER DMS, P.O. Box 2468, Orlando, FL 32802, has submitted a proposal to provide such services for the period of January 30, 2014 through January 29, 2015 at a total cost of \$6,840.00; and

**WHEREAS**, funds in the amount of \$6,840.00 have been certified to be available in the Police Department Computer Hard & Software Account, Number 4-01-25-0240-000-059; and

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$6,840.00, with INNOVATIVE DATA SOLUTIONS/POWER DMS, P.O. Box 2468, Orlando, FL 32802-2468 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 **\$6,840.00** are available for the above contract in Account No. **4-01-25-0240-000-059**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.075-022014**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES FOR PURCHASE OF BODY ARMOR FOR THE DIVISION OF POLICE**

**WHEREAS**, there is a need to purchase Body Armor for the Division of Police; and

**WHEREAS**, LANIGAN ASSOCIATES, INC., 496 Shrewsbury Ave., Tinton Falls, NJ 07701 has been awarded State Contract Number 81299 under T-0106/Police and Homeland Security Equipment and Supplies-Statewide; and

**WHEREAS**, the total amount of this contract, not to exceed \$25,000.00, cannot be encumbered at this time; 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; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$25,000.00 and any other necessary documents, with LANIGAN ASSOCIATES, INC., 496 Shrewsbury Ave., Tinton Falls, NJ 07701 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. 81299/T-0106.

**RESOLUTION R.076-022014**

<b>TEMPORARY BUDGET APPROPRIATIONS</b>	<b>CURRENT YEAR</b>	<b>2014</b>	Jan-14 26.25%
<b>CURRENT FUND</b>	<b>total thus far</b>	<b>APPROPRIATED</b>	<b>to be appropriated</b>
<b>Office of the Mayor</b>	<b>\$ 2,014.00</b>	<b>2013</b>	<b>26.25% of 2013</b>
Salaries and Wages	\$ 10,495.80	\$ 39,984.00	0.2625 \$10,495.80
Other Expenses	\$ 1,061.29	\$ 4,043.00	\$1,061.29
<b>Municipal Council</b>			
Salaries and Wages	\$ 9,103.50	\$ 34,680.00	\$9,103.50
Other Expenses	\$ 5,016.38	\$ 19,110.00	\$5,016.38
<b>Ethics Commission</b>			
		\$ 3,000.00	\$787.50
<b>Office of the Township Clerk</b>			
Salaries and Wages	\$ 43,069.95	\$ 164,076.00	\$43,069.95
Other Expenses	\$ 43,961.93	\$ 167,474.00	\$43,961.93
<b>Office of the Business Administrator</b>			
Salaries and Wages	\$ 101,524.50	\$ 386,760.00	\$101,524.50
Other Expenses	\$ 11,595.41	\$ 44,173.00	\$11,595.41
<b>Communications</b>			
Salaries and Wages	\$ 24,205.65	\$ 92,212.00	\$24,205.65
Other Expenses	\$ 954.45	\$ 3,636.00	\$954.45
<b>Division of Central Purchases</b>			
Salaries and Wages	\$ 44,311.58	\$ 168,806.00	\$44,311.58
<b>Postage</b>			
Other Expenses	\$ 24,061.54	\$ 91,663.00	\$24,061.54
<b>Centralized Stores</b>			
Other Expenses	\$ 15,315.30	\$ 58,344.00	\$15,315.30
<b>Division of Personnel</b>			
Salaries and Wages	\$ 31,621.54	\$ 120,463.00	\$31,621.54
Other Expenses	\$ 2,566.20	\$ 9,776.00	\$2,566.20
<b>Department of Law</b>			

Salaries and Wages	\$ 11,617.20	\$ 44,256.00	\$11,617.20	
Other Expenses	\$ 170,625.00	\$ 650,000.00	\$170,625.00	
<b>Department of Finance</b>				
Salaries and Wages	\$ 21,423.41	\$ 81,613.00	\$21,423.41	
Other Expenses	\$ 160,717.46	\$ 612,257.00	\$160,717.46	
Audit	\$ 18,923.10	\$ 72,088.00	\$18,923.10	
<b>Division of Accounts and Controls</b>				
Salaries and Wages	\$ 10,235.66	\$ 38,993.00	\$10,235.66	
Other Expenses	\$ 21,000.00	\$ 80,000.00	\$21,000.00	
<b>Data Processing</b>				
Other Expenses	\$ 69,293.75	\$ 73,500.00	\$19,293.75	\$ 50,000.00 10-FEB
<b>Division of Custody and Disbursements</b>				
Salaries & Wages	\$ 50,270.33	\$ 191,506.00	\$50,270.33	
Other Expenses	\$ 424.67	\$ 1,617.80	\$424.67	
<b>Division of Tax Collection</b>				
Salaries and Wages	\$ 67,562.25	\$ 257,380.00	\$67,562.25	
Other Expenses	\$ 5,687.06	\$ 21,665.00	\$5,687.06	
<b>Division of Tax Assessment</b>				
Salaries and Wages	\$ 46,154.06	\$ 175,825.00	\$46,154.06	
Other Expenses	\$ 18,324.86	\$ 69,809.00	\$18,324.86	
<b>Department of Recreation and Parks</b>				
Salaries and Wages	\$ 367,005.98	\$ 1,398,118.00	\$367,005.98	
Other Expenses	\$ 136,834.95	\$ 521,276.00	\$136,834.95	
Telephone				
Other Expenses	\$ 74,327.40	\$ 283,152.00	\$74,327.40	
Heat, Light and Power				
Other Expenses	\$ 248,448.11	\$ 946,469.00	\$248,448.11	
<b>Department of Health</b>				
Division of Health				
Salaries and Wages	\$ 345,345.00	\$ 1,315,600.00	\$345,345.00	
Other Expenses	\$ 32,576.25	\$ 124,100.00	\$32,576.25	
Division of Senior Citizen Services				
Salaries and Wages	\$ 95,184.86	\$ 362,609.00	\$95,184.86	
Other Expenses	\$ 7,901.25	\$ 30,100.00	\$7,901.25	
<b>Division of Police</b>				
Salaries and Wages	\$ 6,584,939.81	\$ 25,085,485.00	\$6,584,939.81	
Other Expenses	\$ 219,005.38	\$ 803,830.00	\$211,005.38	\$ 8,000.00 10-FEB
Emergency Dispatch				
Salaries and Wages	\$ 463,775.29	\$ 1,766,763.00	\$463,775.29	
Other Expenses	\$ 127,651.91	\$ 486,293.00	\$127,651.91	
Police Vehicle Maintenance				
Salaries and Wages	\$ 50,556.45	\$ 192,596.00	\$50,556.45	
Other Expenses	\$ 46,725.00	\$ 178,000.00	\$46,725.00	
Uniform Fire Safety Act				
Salaries and Wages	\$ 48,007.05	\$ 182,884.00	\$48,007.05	
Other Expenses	\$ 28,875.00	\$ 110,000.00	\$28,875.00	
<b>Division of Fire</b>				
Salaries and Wages	\$ 4,507,626.90	\$ 17,171,912.00	\$4,507,626.90	
Other Expenses	\$ 90,928.69	\$ 346,395.00	\$90,928.69	
Fire Hydrant Services				
Other Expenses	\$ 376,250.70	\$ 1,433,336.00	\$376,250.70	
Aid to Volunteer Fire Companies				
Other Expenses	\$ 28,875.00	\$ 110,000.00	\$28,875.00	
<b>Department of Public Works</b>				
<b>Division of Parks</b>				
Salaries and Wages	\$ 239,941.28	\$ 914,062.00	\$239,941.28	
Other Expenses	\$ 21,118.13	\$ 80,450.00	\$21,118.13	
<b>Municipal Garage</b>				
Salaries and Wages	\$ 196,253.40	\$ 747,632.00	\$196,253.40	

Other Expenses	\$ 13,544.16	\$ 51,596.80	\$13,544.16		
Fuels and Lubricants for Mun.Equipt.					
Other Expenses	\$ 263,745.56	\$ 1,004,745.00	\$263,745.56		
Street Lighting					
Other Expenses	\$ 262,500.00	\$ 1,000,000.00	\$262,500.00		
<b>Division of Streets</b>					
Salaries and Wages	\$ 353,166.19	\$ 1,345,395.00	\$353,166.19		
Other Expenses	\$ 80,088.75	\$ 305,100.00	\$80,088.75		
<b>Division of Public Buildings</b>					
Salaries and Wages	\$ 327,402.34	\$ 1,247,247.00	\$327,402.34		
Other Expenses	\$ 43,545.94	\$ 165,889.30	\$43,545.94		
<b>Division of Sanitation</b>					
Salaries and Wages	\$ 272,557.69	\$ 1,038,315.00	\$272,557.69		
Other Expenses	\$ 10,985.63	\$ 41,850.00	\$10,985.63		
<b>Public Defender</b>					
Salary and Wages	\$ 7,612.50	\$ 29,000.00	\$7,612.50		
Other Expenses	\$ 525.00	\$ 2,000.00	\$525.00		
<b>Department of Planning and Engineering</b>					
Division of Planning and Zoning					
Salaries and Wages	\$ 63,446.51	\$ 241,701.00	\$63,446.51		
Other Expenses	\$ 6,262.50	\$ 1,000.00	\$262.50	\$ 6,000.00	10-Feb
Planning Board					
Other Expenses	\$ 6,877.50	\$ 26,200.00	\$6,877.50		
Zoning Board					
Salaries and Wages	\$ -				
Other Expenses	\$ 6,641.25	\$ 25,300.00	\$6,641.25		
Rent Control Board					
Salaries and Wages	\$ 3,202.50	\$ 12,200.00	\$3,202.50		
Other Expenses	\$ 131.25	\$ 500.00	\$131.25		
Environmental Commission					
Other Expenses	\$ 78.75	\$ 300.00	\$78.75		
Division of Engineering					
Salaries and Wages	\$ 104,985.30	\$ 399,944.00	\$104,985.30		
Other Expenses	\$ 22,793.14	\$ 86,831.00	\$22,793.14		
<b>Group Insurance</b>					
Other Expenses	\$ 4,254,926.03	\$ 16,209,242.00	\$4,254,926.03		
<b>Other Insurance and Surety Bonds</b>					
Other Expenses	\$ 2,741,263.71	\$ 4,728,623.66	\$2,741,263.71	\$ -	
<b>Office of Emergency Management</b>					
Other Expenses	\$ 3,814.13	\$ 14,530.00	\$3,814.13		
<b>Condominium Services</b>					
Other Expenses	\$ 38,062.50	\$ 145,000.00	\$38,062.50		
<b>Employees' Unemployment Insurance</b>					
Other Expenses	\$ -	\$ -			
<b>Celebration of Public Events</b>					
Other Expenses	\$ 13,125.00	\$ 50,000.00	\$13,125.00		
<b>Municipal Court</b>					
Salaries and Wages	\$ 127,963.84	\$ 487,481.29	\$127,963.84		
Other Expenses	\$ 16,404.94	\$ 62,495.00	\$16,404.94		
<b>Uniform Construction Code</b>					
Salaries and Wages	\$ 292,105.80	\$ 1,112,784.00	\$292,105.80		
Other Expenses	\$ 50,137.50	\$ 191,000.00	\$50,137.50		
<b>Social Security</b>					
Other Expenses	\$ 417,088.61	\$ 1,588,909.00	\$417,088.61		
<b>PERS</b>	\$ 1,542,524.91	\$ 1,542,524.91	\$404,912.79	\$ 1,137,612.12	10-Feb
<b>PFRS</b>	\$ 8,914,132.00	\$ 8,914,132.00	\$2,339,959.65	\$ 6,574,172.35	10-Feb
<b>Library \$ -</b>					
Other Expenses	\$ 1,231,624.80	\$ 4,691,904.00	\$1,231,624.80		

**Division of Fire EMT Services**

Salaries and Wages	\$ 206,315.81	\$ 785,965.00	\$206,315.81
Other Expenses	\$ 46,711.88	\$ 177,950.00	\$46,711.88

EECBG \$ -			\$ - \$0.00
Municipal Alliance	\$ 101,000.00	\$ 101,000.00	\$101,000.00
Clean Communities			\$ - \$0.00
Payment of Bond Principal	\$ 4,567,326.70	\$ 4,567,326.70	\$4,567,326.70
Interest on Bonds	\$ 2,250,954.69	\$ 2,250,954.69	\$2,250,954.69
Green Trust Loan Program			\$ - \$0.00
MCIA Capital Lease Payments			\$ - \$0.00
NJEIT Loan			\$ - \$0.00

**TOTAL CURRENT** \$ 1 18,353,620.82 \$ 113,016,708.15 \$ 36,269,855.91

FUND

\*\*\*\* please note certain appropriations have been omitted

**AUTHORIZED BY LAW \$ 31,079,660.83**

\*\*notes difference is the 2014

SEWER OPERATING UTILITY FUND Bond Payments is in 2013 column

Salaries and Wages	\$ 478,208.59	\$ 1,821,747.00	\$478,208.59	
Other Expenses	\$ 1,018,860.09	\$ 3,405,181.30	\$893,860.09	\$ 125,000.00
M.C.U.A. Charges	\$ 2,639,375.00	\$ 8,150,000.00	\$2,139,375.00	\$ 500,000.00
Social Security	\$ 31,500.97	\$ 120,003.70	\$31,500.97	
Unemployment Comp. Ins.	\$ 3,150.00	\$ 12,000.00	\$3,150.00	
Payment of Bond Principal	\$ 239,864.62	\$ 239,864.62	\$ 239,864.62	
Payment of Bond Interest	\$ 216,225.13	\$ 216,225.13	\$ 216,225.13	
PERS	\$ 251,002.00	\$ 251,002.00	\$65,888.03	\$ 185,113.98 10-Feb
Capital Improv Projects	\$ 37,398.11	\$ 142,469.00	\$37,398.11	
TOTAL SEWER OPERATIONS	\$ 14,115,177.00	\$ 14,358,492.75	\$ 3,627,261.95	**notes difference is the 2014 Bond Payments is in 2013 column

**AUTHORIZED BY LAW \$ 3,705,233.96**

SANITATION FUND

Salaries and Wages	\$ 669,375.00	\$ 2,550,000.00	\$669,375.00	
Other Expenses	\$ 524,867.96	\$ 1,999,497.00	\$524,867.96	
Social Security	\$ 52,500.00	\$ 200,000.00	\$52,500.00	
Disposal Fees	\$ 420,000.00	\$ 1,600,000.00	\$420,000.00	
Unemployment Comp. Ins.	\$ 6,562.50	\$ 25,000.00	\$6,562.50	
Employee grp hlth ins	\$ 627,071.55	\$ 2,388,844.00	\$627,071.55	
Capital outlay	\$ 88,924.24	\$ 338,759.00	\$88,924.24	
PERS	\$ 184,700.00	\$ 184,700.00	\$48,483.75	\$ 136,216.25 10-Feb
Edison Landfill Closure	\$ 39,375.00	\$ 150,000.00	\$39,375.00	
TOTAL SANITATION FUND	\$ 9,436,800.00	\$ 9,436,800.00	\$ 2,477,160.00	

**AUTHORIZED BY LAW \$ 2,477,160.00** outlay **\$2,477,160.00**

WATER UTILITY BOND

Payment of Bond Principal	\$ 53,944.85	\$ 53,944.85	\$ 53,944.85
Payment of Bond Interest	\$ 36,851.10	\$ 36,851.10	\$ 36,851.10
<b>TOTAL WATER</b>		\$ 90,795.95	\$ 90,795.95

GRANTS ACCEPTED

Body Armor Replacement	\$ 19,099.02	\$ 19,099.02	\$ 19,099.02
Payment of Bond Interest	\$ 25,500.00	\$ 25,500.00	\$ 25,500.00
<b>TOTAL GRANTS</b>	\$ 44,599.02	\$ 44,599.02	

**RESOLUTION R.078-022014**

**Explanation:** A Resolution authorizing the settlement in the matter of: Matthew Freeman v. Township of Edison, *et als.*

**WHEREAS,** the Township of Edison (“Township”), the Township Police Department and former Township Mayor Antonia Ricigliano are the subject of a lawsuit captioned: Matthew Freeman v. Township of Edison, Township of Edison Police Department, Mayor Antonia Ricigliano, individually and in her official capacity as Mayor of the Township of Edison, JOHN & JANE DOE(S) and XYZ CORPORATION(S) 1-10, bearing Docket No. MID-L-1461-11; and

**WHEREAS,** The Central Jersey Joint Insurance Fund (“CJJIF”) has notified the Township that is has reached a settlement in this matter, substantially as set forth in the Settlement Agreement attached hereto as Exhibit A (“Settlement Agreement”); and

**NOW THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Edison, Middlesex County, State of New Jersey, that the attached Settlement Agreement in this matter is hereby approved and that the attorneys representing the Township and necessary Township staff are hereby authorized to enter into

the Settlement Agreement and undertake all actions reasonably necessary to effectuate the Settlement Agreement and the intent of this Resolution.

**RESOLUTION R.079-022014**

**Explanation:** This Resolution awards a Professional Services Contract to James P. Nolan & Associates and designates the firm to represent the Township of Edison as Tax Appeal Counsel, and, if the need should arise, Special Counsel.

**WHEREAS**, the Municipal Council (“Municipal Council”) of the Township of Edison (“Township”) has determined that it is in its best interests and those of Township residents to engage qualified legal counsel, and the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“Local Contracts Law”) to contract for “professional services” as it may require; and

**WHEREAS**, James P. Nolan & Associates (“Counsel”) has an excellent reputation in the area of tax appeal law and has sufficient legal staff to handle tax appeal matters which may arise from time to time in the Township; and

**WHEREAS**, James P. Nolan, Jr., Esq., managing member of Counsel, has an excellent reputation in the area of tax appeals, has practiced law for many years, has knowledge of the Township and has available supporting attorney staff at and through Counsel; and

**WHEREAS**, for these reasons the Mayor and the Municipal Council recommend Counsel for the position of Township Tax Appeal Counsel, and, if the need should arise, Township Special Counsel for matters where a conflict arises or other matters as they may arise, and seek to enter a contract for legal services with Counsel for 2014 (“Services Contract,” as attached hereto as Exhibit A) to provide for same; and

**WHEREAS**, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; and

**WHEREAS**, prior to the execution of the Services Contract, James P. Nolan, Jr., Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the Services Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the legal services under the Services Contract may include, but are not limited to, representation as to tax appeals and special litigation matters, subject to the discretion and direction of the Township Attorney; and

**WHEREAS**, compensation for employment law services included under the Services Contract shall be rendered at the hourly rate of \$140.00 per hour, payable monthly, as set forth in the Services Contract; and

**WHEREAS**, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel for its representation of the Township as Township Tax Appeal Counsel, and, if the need should arise, Township Special Counsel.
2. The Services Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year.
4. No payments in excess of the “not-to-exceed” Services Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.

5. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
7. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
8. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.
9. Counsel shall notify the Township Attorney when eighty percent (80%) of the “not-to-exceed” amount is attained.
10. This Resolution shall take effect immediately.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Municipal Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year, funds in the amount of \$175,000.00 are available in Account No4-01-20-0150-000-027.

/s/ Janice Saponaro  
Chief Financial Officer

#### **RESOLUTION R.080-022014**

**Explanation:** This Resolution awards a Professional Services Contract to Roth D’Aquanni, LLC and designates the firm to represent the Township of Edison as Township Labor Counsel.

**WHEREAS**, the Municipal Council (“Municipal Council”) of the Township of Edison (“Township”) has determined that it is in its best interests and those of Township residents to engage qualified legal counsel, and the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“Local Contracts Law”) to contract for “professional services” as it may require; and

**WHEREAS**, Roth D’Aquanni, LLC (“Counsel”) has an excellent reputation in the area of employment law and has sufficient legal staff to handle employment law matters which may arise from time to time in the Township; and

**WHEREAS**, Allan C. Roth, Esq., managing member of Counsel, has an excellent reputation in the area of employment law, has practiced law for many years, has knowledge of the Township and has available supporting attorney staff at and through Counsel; and

**WHEREAS**, for these reasons the Mayor and the Municipal Council recommend Counsel for the position of Township Labor Counsel and seek to enter a contract for legal services with Counsel for 2014 (“Services Contract,” as attached hereto as Exhibit A) to provide for same; and

**WHEREAS**, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for “professional services” without public advertising for bids; and

**WHEREAS**, prior to the execution of the Services Contract, Allan C. Roth, Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the Services Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the legal services under the Services Contract may include, but are not limited to, representation as to general personnel advice, employment disputes, labor negotiations, litigation defense, layoffs and privatization efforts, subject to the discretion and direction of the Township Attorney; and

**WHEREAS**, compensation for employment law services included under the Services Contract shall be rendered at the hourly rate of \$150.00 per hour, payable monthly, as set forth in the Services Contract; and

**WHEREAS**, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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

11. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel for its representation of the Township as Township Labor Counsel.
12. The Services Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
13. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year.
14. No payments in excess of the "not-to-exceed" Services Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
15. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
16. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
17. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
18. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.
19. Counsel shall notify the Township Attorney when eighty percent (80%) of the "not-to-exceed" amount is attained.
20. This Resolution shall take effect immediately.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Municipal Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year, funds in the amount of \$250,000.00 are available in Account No 4-01-20-0155-001-020.

/s/ Janice Saponaro  
Chief Financial Officer

#### **RESOLUTION R.081-022014**

**Explanation:** This Resolution awards a Professional Services Contract to McManimon, Scotland & Baumann, LLC and designates William W. Northgrave, Esq. of the firm to represent the Township of Edison as Township Attorney.

**WHEREAS**, the Municipal Council ("Municipal Council") of the Township of Edison ("Township") has determined that it is in its best interests and those of Township residents to engage qualified legal counsel, and the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("Local Contracts Law") to contract for "professional services" as it may require; and

**WHEREAS**, McManimon, Scotland & Baumann, LLC ("Counsel") has an excellent reputation in the area of municipal government, including, but not limited to, the areas of public finance, redevelopment, environmental law, and more particularly local unit general counsel services, and has extensive legal staff and resources and the multi-disciplinary practice necessary to handle any matter in the municipal arena and any other unanticipated legal issue which may arise from time to time in the Township; and

**WHEREAS**, William W. Northgrave, Esq., a partner at Counsel, has an excellent reputation in the area of municipal government, has practiced law for many years, has knowledge of the Township and has available supporting attorney staff at and through Counsel; and

**WHEREAS**, for these reasons the Mayor and the Municipal Council recommend William W. Northgrave, Esq. for the position of Township Attorney and seek to enter a contract for legal services with Counsel for 2014 ("Services Contract," as attached hereto as Exhibit A) to provide for same; and

**WHEREAS**, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; and

**WHEREAS**, prior to the execution of the Services Contract, William W. Northgrave, Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the Services Contract is not awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, compensation for local unit general counsel services included under the Services Contract shall be rendered at the flat rate of \$25,000.00, payable in 12 monthly installments at the first Municipal Council meeting of each month, and shall include advising the Municipal Council; preparing routine resolutions and ordinances; rendering opinions; attending Municipal Council meetings and other matters as defined and delineated by Sections 2-71.2 thru 2.71.7 of the Township Code and the Services Contract; and

**WHEREAS**, compensation for the professional services outside of the scope of local unit general services, including, but not limited to, matters relating to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*; litigation; and bond and note financing, shall be billed at the hourly rates or other rates as provided in the Services Contract; and

**WHEREAS**, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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

21. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel, whereby William W. Northgrave, Esq. shall represent the Township as Township Attorney.
22. The Services Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
23. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year.
24. No payments in excess of the "not-to-exceed" Services Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
25. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
26. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
27. The Services Contract shall, for all purposes, be deemed a New Jersey contract and any provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
28. This Resolution shall take effect immediately.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Municipal Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2014 calendar year, funds in the amount of \$275,000.00 are available in Account No 4-01-20-0155-001-020.

/s/ Janice Saponaro  
Chief Financial Officer

The following Resolutions will be voted upon separately:

**RESOLUTION R.054-022014**

**EXPLANATION:** A Resolution authorizing an Adjoining Municipality Benefits Agreement with the Middlesex County Utilities Authority for the calendar years 2014 through 2023.

**WHEREAS,** the Middlesex County Utilities Authority (MCUA) operates the Middlesex County Landfill (Landfill) on Edgeboro Road in East Brunswick; and

**WHEREAS,** due to Edison Township’s proximity to the Landfill it is eligible for Adjoining Municipality Benefits; and

**WHEREAS,** the current agreement with the MCUA for Adjoining Municipality Benefits expires on December 31, 2013; and

**WHEREAS,** the MCUA proposes another 10 year Adjoining Municipality Benefits Agreement for the calendar years 2014 through 2023 under the same terms and conditions as the existing agreement; and

**WHEREAS,** the Township of Edison wishes to enter into the attached Adjoining Municipality Benefits Agreement with the MCUA for the calendar years 2014 through 2023.

**NOW THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Edison, Middlesex County, State of New Jersey that the attached Adjoining Municipality Benefits Agreement with the Middlesex County Utilities Authority for the calendar years 2014 through 2023 is hereby approved, and, that the Mayor and other necessary Township staff are hereby authorized to execute and deliver said Agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the Agreement and the intent of this Resolution.

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

AYES - Councilmembers Diehl, Gomez, Lombardi, Mascola, Prasad and Shah.

NAYS - None  
Council President Karabinchak abstained from voting.

**RESOLUTION R.065-022014**

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO PP&D ACCOUNTING SERVICES, INC. FOR FINANCIAL CONSULTING SERVICES**

**WHEREAS,** the Township of Edison has a need for financial consulting services to include but not be limited to payroll system implementation and utilization, data migration and budget preparation assistance; and

**WHEREAS,** such services are professional services which, pursuant to N.J.S.A. 40A:11-5, may be awarded without competitive bidding; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40:11-1, et. seq., requires a Resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself must be available for public inspection; and

**WHEREAS,** PP&D ACCOUNTING SERVICES, INC., 263 Main Street, Woodbridge, NJ 07095, has submitted a proposal to provide such services for an amount not to exceed \$75,000.00 for the period ending December 31, 2014; and

**WHEREAS,** this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

**WHEREAS,** the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

**WHEREAS,** PP&D ACCOUNTING SERVICES, INC., 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 PP&D ACCOUNTING SERVICES, INC. from making any reportable contributions through the term of the contract.

**WHEREAS,** the total amount of this contract, not to exceed \$75,000.00, cannot be encumbered at this time; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein.

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

3. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with PP&D ACCOUNTING SERVICES, INC., 263 Main Street, Woodbridge, NJ 07095 for professional financial consulting services.
4. This contract is awarded without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i).
5. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

A motion was made by Councilmember Mascola, seconded by Councilmember Diehl to amend this Resolution that before any amount in excess of \$25,000.00 is invoiced, PPD will report to Council.

AYES – Councilmembers Diehl, Gomez, Lombardi, Mascola, Prasad, and Council President Karabinchak.

NAYS - None  
Councilmember Shah abstained from voting.

A motion was made by Councilmember Lombardi, seconded by Councilmember Diehl, to adopt this Resolution as amended.

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

NAYS - None  
Councilmember Shah abstained from voting.

**RESOLUTION R.077-022014**

**Explanation:** This Resolution hires Anthony Russomanno as a salaried Township employee with the title “Constituent Relations Administrator.”

**WHEREAS**, a recommendation was made by Mayor Thomas Lankey (“Mayor”) to hire Anthony Russomanno as Constituent Relations Administrator at a salary of \$65,000.00 annually, pursuant to the authority granted the Mayor under Section 2-1.2 of the Township Code; and

**WHEREAS**, the Municipal Council wishes to consent to this hiring.

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison that Anthony Russomanno be hired by the Township as a salaried employee with the title Constituent Relations Administrator with a start date as determined by the Mayor, at a salary of \$65,000.00 annually. The nature of the employment shall be that of an at-will employee.

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

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

NAYS - None

The following Resolution was pulled from the agenda at the meeting:

**RESOLUTION R.070-022014**

**RESOLUTION ACCEPTING BID AND AWARDED CONTRACT TO  
H.A. DEHART & SON, INC. FOR THE PURCHASE OF FOUR (4) SNOW PLOWS**

**WHEREAS**, bids were received by the Township of Edison on February 27, 2013 for Public Bid No. 13-02-08-Snow Plows, for the Department of Public Works; and

**WHEREAS**, H.A. DEHART & SON, INC., 311 Crown Point Rd., Thorofare, NJ 08086, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, Resolution R.229-042013 dated April 24, 2013 authorized the award of a contract to H.A. DEHART & SON, INC., for the purchase of Four (4) Snow Plows; and

**WHEREAS**, contract specifications allow for additional purchases under this contract and the Township of Edison wishes to exercise this option to purchase Four (4) additional Snow Plows; and

**WHEREAS**, the maximum amount of the purchase shall not exceed \$15,980.00, (\$3,995.00 each); and

**WHEREAS**, funds in the amount of \$15,980.00 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001; and

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by H.A. DEHART & SON, INC., 311 Crown Point Rd., Thorofare, NJ 08086 for the purchase of four (4) Snow Plows for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,980.00, and any other necessary documents, with H.A. DEHART & SON, INC., as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$15,980.00** are available for the above contract in Account No. **C-04-12-1817-370-001**.

/s/ Janice Saponaro  
Chief Financial Officer

**COMMUNICATIONS**

- a. Electronic mail received from Mr. Young regarding snow plowing issues.  
(Added to agenda at the meeting)
- b. Letter received from Mr. Ellison regarding the Truck still parked at 98 Loring Avenue.  
(Added to agenda at the meeting)
- c. Electronic mail received from Ms. Garcia and Mr. Kaczorowski regarding issues on Ashbrook Drive  
(Added to agenda at the meeting)

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

**ORAL PETITIONS AND REMARKS**

Council President Karabinchak opened the meeting for public comment.

Bruce Diamond, Calvert Avenue, asked when the Township is closed, where can a resident call to report a problem. He said he called the main number after hours with an issue and the Police response was "what do you want me to do?"

Captain Polkowitz explained the procedure. He also made a note and said he would follow up.

Mr. Diamond asked if Mr. Russomanno will receive pension and benefits and if his former time counts towards his pension.

Mr. Northgrave said it will not count as he had a break in service.

Walter Stochel, 2118 Oak Tree Road, said there are trucks on "NO TRUCKS" roads doing damage and he asked how many tickets have been issued.

Ms. Ruane said she will get that information.

Mr. Stochel said there are three different speed limit signs on Oak Tree Road and he asked if this could be looked into and also if there have been any speeding tickets issued.

Ms. Ruane said she will find out.

Mr. Stochel asked if there are plans for striping on Talmadge Road and paving in North Edison.

Mr. Medina said Route 27 and Talmadge Road up to National Road will be done.

Councilmember Diehl said Mr. Stochel made some very good points about the signage on Oak Tree Road.

Mr. Sweeney, Suttons Lane, asked why we are putting belgium block curbing on Featherbed Lane at a cost of \$660,000 when Suttons Lane is bumpy due to all the pot holes. He felt it is not fair to do this when we need money to repair potholes.

Councilmember Diehl asked Mr. Medina where we are with the road programs.

Mr. Medina explained the paving plan on Featherbed Lane, Wood Avenue, etc. He also stated that we are being charged the same for the belgium block curbing as we are for the concrete curbs and he said the belgium block is more durable.

Council President Karabinchak said it is only the parts of the road that already have curbs. We are not adding curbing where none exists.

Councilmember Mascola said they were told at the last meeting that this was being done.

Lois Wolke, 10 Peake Road, asked where we are with the code enforcement task force.

Mr. Medina said they are only brain storming the idea and it is not in the works yet.

Walter Stochel, 2118 Oak Tree Road agreed that belgium block is stronger than concrete.

Fred Wolke, 10 Peake Road, questioned the vehicle rental on Resolution R.072-022014. He asked how many and who they are for.

Captain Polkowitz said certain operations within the Police Department such as undercover work require the rental of vehicles. He said he will find out how many we used last year.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Gomez, the meeting was adjourned at 8:58 p.m.

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Robert Karabinchak  
Council President

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Cheryl Russomanno  
Acting Municipal Clerk