

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

February 13, 2013

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, February 13, 2013. The meeting was called to order at 7:08 p.m. by Council President Diehl followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Lombardi, Mascola and Dr. Prasad.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Management Specialist Stephens, Business Administrator Ruane, Finance Director Saponaro, Health Director Elliot, Township Engineer Medina, Fire Chief Latham, Police Chief Bryan, and Cameraman Cologna.

The Acting 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 December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES

On a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak, and duly carried, the Minutes of the Regular Meeting of December 12, 2012 and Combined Meeting of December 26, 2012 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Diehl thanked everyone for their patience.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION

The following Ordinance, which was introduced by Title on January 24, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1822-2013	THIS ORDINANCE ESTABLISHES PARKING PROHIBITIONS (NO PARKING) ON A SEGMENT OF RIVERSIDE DRIVE, IN RARITAN CENTER.
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(The above Ordinance O.1822-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1822-2013

Hearing no comments, on a motion made by Councilmember Lombardi, seconded by Councilmember Karabinchak, and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, the Ordinance was adopted.

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

NAYS - None

NEW BUSINESS:

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, FEBRUARY 27, 2013.

The following Ordinance was introduced by title:

O.1824-2013	AN ORDINANCE REQUIRING THAT ALL TATTOO, BODY ART AND BODY PIERCING ESTABLISHMENTS SHALL BE LICENSED.
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On a motion made by Councilmember Karabinchak, 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 27, 2013..

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

NAYS - None

O.1825-2013

**AN ORDINANCE REVISES AND RE-ESTABLISHED
THE LOCATION OF RESIDENTIAL PARKING ON
TAFT AVENUE.**

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, 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 27, 2013.

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

NAYS - None

PUBLIC COMMENTS ON THE RESOLUTION:

Councilmember Diehl made a motion to add Resolution R.096-022013 to the agenda. This motion was seconded by Councilmember Mascola.

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

NAYS - None

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.054-022013 through R.096-022013

Esther Nemitz, 162B Fay Street, asked who the bidder is on Resolution R.072-022013 for the Oak Tree Bridge. She said this is long overdue and she is very happy it is being done.

Ms. Ruane explained.

Jose Flores, Resident, spoke on Resolution R.096-022013, regarding the cleanup of debris in the North Edison Little League parking lot. He asked if there is damage to the parking lot who is responsible to repair it and when will this be cleaned up.

Council President Diehl said we are adding Resolution R.096-022013 to award the contract for cleanup.

Ms. Ruane said cleanup should start within the next 7-10 days.

Walt Shneer, Park Way, asked if Resolution R.064-022013 is for additional cameras.

Mr. Medina said we are awaiting approval from the DOT to add the additional cameras.

Mr. Shneer asked the type of truck being purchased on Resolution R.090-022013.

Council President Diehl said this is a garbage truck.

Jane Tousman, 14 Butler Road, said she seconds everything Ms. Nemitz said regarding the Oak Tree Bridge being fixed and making the sidewalks safe. Regarding Resolution R.069-022013, she said she is always in support of using solar energy.

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

Councilmember Lankey requested that Resolution R.054-022013 be pulled for separate vote.

Councilmember Mascola requested that Resolution R.064-022013 be pulled for separate vote.

Councilmember Dr. Prasad requested that Resolution R.067-022013 be pulled for separate vote.

Councilmember Karabinchak requested that Resolution R.096-022013 be pulled for separate vote.

The following Resolutions R.055-022013 through R.063-022013, R.065-022013, and R.066-022013 through R.095-022013 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Lankey.

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

NAYS - None

RESOLUTION R.055-022013

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 \$505,493.92.

RESOLUTION R.056-022013

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

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$3,136.07 and

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

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

RESOLUTION R.057-022013

CANCELLATION OF TAX SALE CERTIFICATES

WHEREAS, THE COLLECTOR OF TAXES advises that the following Taxpayer(s) had Tax Certificates erroneously issued, which need to be cancelled, and hereby recommends that, upon cancellation of the tax sale certificate, the lien holders are entitled to a reimbursement of the amount and premium.

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>CERT #</u>	<u>AMOUNT</u>	<u>PREMIUM</u>
82.D	2	US Bank for Pro Cap II LLC	12-00076	\$ 97.20	\$200.00
429	5.01	Natu Patel	12-00408	\$ 387.54	n/a

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison that the appropriate Municipal Officers be, and they are hereby authorized to execute a cancellation and discharge of the aforementioned Tax Sale Certificates.

BE IT FURTHER 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 the lien holders above totaling the amount of \$684.74.

RESOLUTION R.058-022013

RESOLUTION AUTHORIZING A REIMBURSEMENT TO RETIREE DRUG SUBSIDY CENTER FOR OVERPAYMENT OF FUNDS

WHEREAS, Retiree Drug Subsidy Center, made an overpayment for application number 173094, Plan Year 2010 to the Township of Edison for the amount of \$253.80; and

WHEREAS, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Retiree Drug Subsidy Center for overpayment of \$253.80.

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 \$253.80 to Retiree Drug Subsidy Center, P.O. Box 6865, Towson, MD 21204 which amount represents the amount of overpayment for the Retiree Drug Subsidy Center.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$253.80** are available for the above refund in Account No. **2-01-23-0220-000-253**.

/s/ Janice Saponaro, Chief Financial Officer

RESOLUTION R.059-022013

WHEREAS, the 2013 Public Service Electric & Gas (PSE&G) has opportunities available for subsidies/grants under its 2013 Direct Install Program for Government and Non-Profit Facilities for energy-saving, municipal projects under 150kW peak demand; and

WHEREAS, a number of Township of Edison municipal facilities (i.e.: EDPW Garage/Durham Ave.; EDPW REC Garage/New York Blvd.; EDF Fire Station #1/Plainfield Ave.; EDF Fire Station #3 Clara Barton/Amboy Avenue; EDF Fire Station #4/New Dover Rd.; EDF Fire Station #5/Beverly St.) are in need of having such work performed, but lack the funds to do so; and

WHEREAS, an application shall be developed and submitted to the 2013 PSE&G Direct Install Program to support the design, purchase and installation of interior lighting and related lighting controls, which shall save energy resources, decrease local operating costs and reduce greenhouse gasses; and

WHEREAS, a maximum project subsidy of 80% is available from the 2013 PSE&G Direct Install Program , with a requisite 20% match to be supported by the cash value of energy cost savings over a two-year period; and

WHEREAS, the total, estimated cost of the 2013 PSE&G Direct Install Program Projects cited above shall not exceed \$40,000 per project, for a maximum, combined total of \$200,000, which shall be supported by the combined subsidy/grant program awards and cash value of resultant energy savings over a two-year period; and

WHEREAS, the 2013 PSE&G Direct Install Program operates through an established, pre-qualified set of participating contractors, who perform start-to-finish program services, including the pre-and post project-based, energy audits to identify equipment that is not energy-efficient to be replaced, obtaining Program approval of chosen improvements and equipment replacement; and

WHEREAS, pursuant to 2013 PSE&G Direct Install Program guidelines, only certified contractors are qualified to perform work under this program; and

WHEREAS, Facility Solutions Group (FSG) is a qualified contractor, certified to participate in the NJBPU Clean Energy Direct Install Program and holds a NJ State Cooperative Purchasing Contract; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve the development and submission of said subsidy/grant application, at a regularly-scheduled public meeting on February 13, 2013.

BE IT FURTHER RESOLVED, that such grant/subsidy funds that are received as a product of this application to the Direct Install Program for Government and Non-Profit Facilities for a maximum, combined award of \$160,000.00, will be accepted, administered, documented and disbursed in accordance with all applicable 2013 PSE&G DIP, local, county, state and federal regulations and statutes.

RESOLUTION R.060-022013

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE VARIOUS COMPUTER EQUIPMENT AND SUPPLIES FROM CDW GOVERNMENT INCORPORATED THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION PRICING SYSTEM; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Enterprise Dr., Suite 404, Shelton, CT 06484 has been awarded Contract MRESC RFB 10/11-41 (technology catalog) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with CDW GOVERNMENT INCORPORATED for the purchase of various computer equipment and supplies; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00, 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)).

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/purchase order and any other necessary documents, in the amount of \$10,000.00 with CDW GOVERNMENT INCORPORATED, 2 Enterprise Dr., Suite 404, Shelton, CT 06484, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.061-022013

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO COMPUTER SYSTEMS & METHODS FOR THE FURNISHING OF VARIOUS COMPUTER EQUIPMENT FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase various computer equipment, parts, etc. for the Township of Edison over the course of the year; and

WHEREAS, COMPUTER SYSTEMS & METHODS, 15 Maple St., Somerville, NJ 08876 has been awarded the State Contract Number 75583 under M-0483/WSCA Computer Contract for this purchase; 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.

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)).

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/purchase order in the amount not to exceed \$20,000.00 and any other necessary documents, with COMPUTER SYSTEMS & METHODS, 15 Maple St., Somerville, NJ 08876 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. 75583 under M-0483.

RESOLUTION R.062-022013

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO SHADOWSTONE FOR A LIGHTING CONTROL CONSOLE WITH INTEGRATED VIDEO FOR EDISON TV

WHEREAS, quotes were solicited by the Township of Edison for a lighting control console with integrated video for Edison TV; and

WHEREAS, SHADOWSTONE, One Entin Rd #2, Clifton, NJ 07014 submitted the lowest quote in the amount of \$5,910.00; and

WHEREAS, funds in the amount of \$5,910.00 have been certified to be available in the US DOE EECBG Grant Account, No. G-02-10-0100-806-001.

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

1. All quotes have been reviewed, and the quote as submitted by SHADOWSTONE, One Entin Rd #2, Clifton, NJ 07014 for a lighting control console with integrated video for Edison TV, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$5,910.00, and any other necessary documents, with SHADOWSTONE

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,910.00** are available for the above contract in Account No. **G-02-10-0100-806-001**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.063-022013

RESOLUTION AMENDING THE ACCOUNT CHARGED FOR PAYMENT OF THE MAINTENANCE OF THE AVAYA PHONE SYSTEM TO OFFICE SOLUTIONS, INC.

WHEREAS; by Resolution R.770-112012, OFFICE SOLUTIONS, INC., 217 Mt. Horeb Rd., Warren, NJ 07059, was awarded contract Number 80802 under T-1316/Telecommunications Equipment and Services for the maintenance, support and upgrade of the Avaya phone system for the year 2013; and

WHEREAS; the aforementioned resolution certified funds in the amount of \$17,686.28 to be available in the Business Administrator Maintenance of Other Equipment Account; and

WHEREAS; the Township wants to budget these funds from the Public Buildings Telephone Account, No. 3-01-31-0440-000-076; and

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the appropriation for said contract/purchase order shall be amended and charged under the Public Buildings Telephone Account, No. 3-01-31-0440-000-076.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$17,686.28 are available for the above in Account No. 3-01-31-0440-000-076, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.065-022013

RESOLUTION AWARDING FEDERAL ELEVATOR INCORPORATED MAINTENANCE SERVICE AGREEMENT FOR HYDRAULIC PASSENGER ELEVATORS FOR THE MUNICIPAL BUILDINGS

WHEREAS, bids were received by the Township of Edison on June 29, 2012 for Public Bid No. 12-12-07, Elevator Maintenance and Repair-Libraries; and

WHEREAS, FEDERAL ELEVATOR, 1130B Industrial Way, Brick, NJ 08724, was awarded the contract for the maintenance of the libraries' elevators in the amount of \$4,700.00; and

WHEREAS, The Township of Edison Municipal Building has three hydraulic elevators that were not on this contract as their three hydraulic elevators were still under warranty from when they were renovated but those warranties have expired in February;

WHEREAS; The Township's solicited quotes for the maintenance and repair of these elevators through August which is when the Library's contract expires and they can be included in that bid; and

WHEREAS; FEDERAL ELEVATOR, 1130B Industrial Way, Brick, NJ 08724 submitted the lowest quote in the amount of \$270.00 per month for a total of \$1,890.00 for the three hydraulic elevators; and

WHEREAS; this will bring the contract with Federal Elevator to a total of \$6,590.00 which is over the \$5,000.00 needed for council approval; and

WHEREAS, the total amount of these additional monies, not to exceed \$1,890.00, 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)).

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

1. All quotes have been reviewed, and the quote as submitted by Federal Elevator, 1130B Industrial Way, Brick, NJ 08724 for the maintenance of the three hydraulic passenger elevators in the municipal building is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents with FEDERAL ELEVATOR an additional \$1,890.00 for a total contract amount of \$6,590.00.

RESOLUTION R.066-022013

RESOLUTION AWARDING CONTRACT TO VALUE RESEARCH GROUP FOR APPRAISAL SERVICES FOR TAX COURT APPEALS

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on December 31, 2012, for RFP 13-01 APPRAISAL SERVICES FOR TAX COURT APPEALS for a bid opening date of January 15, 2013 and nine (9) proposals were received; and

WHEREAS, after review of said proposals, it has been recommended by the Township that the contract be awarded to VALUE RESEARCH GROUP, 301 S. Livingston Avenue, Suite 104, Livingston, NJ 07039; and

WHEREAS, the total amount of this contract, not to exceed \$80,000.00, 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)).

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

1. All proposals have been reviewed, and the proposal as submitted by VALUE RESEARCH GROUP, 301 S. Livingston Avenue, Suite 104, Livingston, NJ 07039 is determined to be in the best interest of the township, price and other factors considered, for Appraisal Services for Tax Court Appeals.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$80,000.00, and any other necessary documents, with VALUE RESEARCH GROUP in accordance with their proposal.

RESOLUTION R.068-022013

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2013

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 December 26, 2012 and ;

WHEREAS, the temporary appropriations on the annexed spread sheet are calculated the rate of 1/12th the corresponding 2012 .

NOW, THEREFORE, IT IS RESOLVED by the **COUNCIL OF THE TOWNSHIP OF EDISON**, in the County of Middlesex, New Jersey that the foregoing emergency temporary appropriations above are hereby approved and the proper Township Officials are authorized to process these accordingly.

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$ as follows:

PUBLIC BUILDING	3-01-31-0440-000-076	OE	\$18,000.00
PURCHASING POSTAGE	3-01-20-0100-003-022	OE	\$14,000.00

RESOLUTION R.069-022013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO PFISTER ENERGY INCORPORATED FOR A SOLAR HOT WATER HEATING SYSTEM AT THE EDISON ANIMAL SHELTER

WHEREAS, bids were received by the Township of Edison on January 11, 2013 for Public Bid No. 12-12-21-Solar Hot Water Heating System; and

WHEREAS, PFISTER ENERGY INCORPORATED, 57 Goffle Rd., Hawthorne, NJ 07506 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract shall not exceed \$37,089.01; and

WHEREAS, funds in the amount of \$37,089.01 have been certified to be available in the USDOE EECBG Grant Account, Number G-02-10-0100-806-001.

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 PFISTER ENERGY INCORPORATED, 57 Goffle Rd., Hawthorne, NJ 07506 for a Solar Hot Water Heating System at the Edison Animal Shelter, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$37,089.01, and any other necessary documents, with PFISTER ENERGY INCORPORATED as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$37,089.01** are available for the above contract in Account No. **G-02-10-0100-806-001**.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.070-022013

EXPLANATION: This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with Accurate Real Estate, LLC in connection with the property identified as Block 649, Lots 11, 12-A and 13-A, commonly referred to as Route 27 and Cedar Street, as shown on the Edison Township tax map (the "Property").

WHEREAS, the Developer, Accurate Real Estate, LLC, is the holder of approvals for preliminary and final site plan approval with bulk variance relief to permit the construction of a two-story office building with parking for 27 cars including storm water management to utilize existing drainage structures in the public right-of-way, one (1) two-way access to the parking lot from Route 27, site landscaping, lighting, a dumpster enclosure, three (3) sides of reinforced concrete retaining walls surrounding the site at four feet in height along Cedar Street and rising to 13.6 feet in height with three (3) terraces of six feet high adjacent to the existing residence on Cedar Street which will have a four foot high chain link fence on the top, and the north side will be contained by a retaining wall up to ten feet high with a chain link fence on top, adjacent to the existing residences on Route 27 on its property on Route 27 and Cedar Street, as shown as Block 649 Lots 11, 12-A and 13-A on the Township Tax Map (the "Project"); and

WHEREAS, the Code of the Township of Edison requires the Developer to enter into a Developer's Agreement with the Township of Edison in connection with the project; and

WHEREAS, the Developer's Agreement attached hereto has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor and Township Clerk are hereby authorized to execute the Developer's Agreement with the Developer in the form annexed hereto.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Developer's Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. The Township Clerk is also directed to forward a copy of this Resolution, once adopted, to the Township Attorney and Township Engineer for their records.

RESOLUTION R.071-022013

EXPLANATION: A Resolution Authorizing the Tax Assessor to Direct and Compromise County Board of Taxation and Tax Court Matters under Certain Conditions.

WHEREAS, numerous tax appeals on property in the Township of Edison are before the Middlesex County Board of Taxation and the Tax Court of New Jersey each year; and,

WHEREAS, the time frames involved with filing of appeals and the potential need to file counter appeals on behalf of the Township of Edison, the filing of correction of errors petitions, rollback assessment petitions, and the making of routine decisions regarding the course of appeals do not provide for sufficient time for the Township Council to review and provide input on these matters; and,

WHEREAS, many cases may be compromised, or as commonly referred to as being settled, with a net cost of refunded tax dollars which does not exceed \$2,000.00 for each tax year appealed; and,

WHEREAS, many cases may be compromised, or as commonly referred to as being settled, with a reduction in assessed value which does not exceed a \$42,300.00 for each tax year appealed or for any future tax year; and,

WHEREAS, it is in the best financial interests of the Township to permit the Tax Assessor to direct and compromise tax litigation.

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

1. The Tax Assessor, upon review and approval of the Township's lawyer(s) responsible for handling tax appeals and the Administration, is hereby authorized to direct the handling of real property tax appeals and related matters before the Middlesex County Board of Taxation and the Tax Court of New Jersey, including by way of example, the filing and withdrawal of appeals on behalf of the Township of Edison, the filing and withdrawal of counter claims to appeals filed by property owners, the filing and withdrawal of motions on behalf of the Township of Edison, to direct and assist other professionals retained by the Township of Edison to assist with said matters, and to assist and direct other routine matters without prior Township Council action, subject to the following conditions:
 - a. The Tax Assessor is hereby authorized to compromise tax litigation matters before the Middlesex County Board of Taxation and/or the Tax Court of New Jersey where the net refund of tax dollars does not exceed \$2,000.00 for each tax year appealed or \$5,000.00 cumulative for all tax years involved in the settlement, or, exceed a \$42,300.00 reduction in assessed value for each tax year appealed or exceed a \$42,300.00 reduction in assessed value for any future tax year without prior Township Council action.
 - b. The Tax Assessor shall discharge these responsibilities in the best interests of the Township of Edison.
4. This Resolution shall remain in force and effect until superseded by a subsequent Resolution.

RESOLUTION R.072-022013

EXPLANATION: This Resolution supports the renovation of Oak Tree Road Bridge over the Conrail Lehigh Valley Railroad Line.

WHEREAS, the existing Oak Tree Road Bridge which carries County Road 604 known as Oak Tree Road over the Conrail Lehigh Valley Railroad Line is considered structurally deficient and functionally obsolete; and

WHEREAS, the New Jersey Department of Transportation has identified this structure as an Orphan Bridge; and

WHEREAS, at the April 12, 2012 meeting with Edison Township and Middlesex County officials, the New Jersey Department of Transportation proposed the replacement of the bridge carrying Oak Tree Road over the Conrail Lehigh Valley Railroad Line; and

WHEREAS, the New Jersey Department of Transportation proposes a cross section on the bridge consisting of one travel lane with an adjoining shoulder of sufficient width to be used a travel lane should future conditions warrant and sidewalk in each direction of Oak Tree Road; and

WHEREAS, New Jersey Department of Transportation has requested local support for the proposed replacement of the Oak Tree Road Bridge over the Conrail Lehigh Valley Railroad Line which is designated as the Oak Tree Road/CONRAIL Structure 1253-164 Project; and

WHEREAS, the municipality supports this project in order to enhance traffic safety and improve mobility thereby improving the quality of life to residents and visitors to Edison Township and this area of Middlesex County; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, in the County of Middlesex and State of New Jersey that it supports the renovation of the Oak Tree Road Bridge over the Conrail Lehigh Valley Railroad Line which is designated as the Oak Tree Road/CONRAIL Structure 1253-164 Project.

RESOLUTION R.073-022013

RESOLUTION AUTHORIZING PAYMENT OF \$9,996.70 TO LITERACY PROGRAMS OF NEW JERSEY FOR ASSESMENT FOR THE TOWNSHIP LIBRARIES FOR THE PERIOD OF JULY 1, 2012 – JUNE 30, 2013

WHEREAS, The Edison Township Library Board of Trustees has authorized payment for assessment for the period of July 1, 2012 – June 30, 2013; and

WHEREAS, funds in the amount of \$9,996.70 have been certified to be available in the Free Public Library Professional Assoc. Dues Account, Number 2-01-29-0390-000-044.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to Literacy Programs of New Jersey, 380 Washington Road, Suite F, Sayreville, NJ 08872 in the amount of \$9,996.70.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$9,996.70** are available for the above in Account No. **2-01-29-0390-000-044**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.074-020213

RESOLUTION AUTHORIZING PAYMENT OF \$28,993.54 TO LIBRARIES OF MIDDLESEX FOR ASSESSMENT FOR THE TOWNSHIP LIBRARIES FOR THE PERIOD OF JANUARY 1, 2013 – MARCH 31, 2013

WHEREAS, The Edison Township Library Board of Trustees has authorized payment for assessment for the period of January 1, 2013 – March 31, 2013; and

WHEREAS, funds in the amount of \$28,993.54 have been certified to be available in the Free Public Library other Professional Services Account, Number 2-01-29-0390-000-028.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to Libraries of Middlesex, 1030 St. Georges Ave., Suite 203, Avenel, NJ 07001-1327 in the amount of \$28,993.54.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,993.54** are available for the above in Account No. **2-01-29-0390-000-028**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.075-022013

EXPLANATION: Resolution Releasing Cash Performance Guarantee on Established Tree Plantings that were Planted and Survived 2 Growing Seasons, for 151 Fieldcrest Avenue, under Tree Permit No. 11-001.

WHEREAS, on January 5, 2011, Advanced Roofing Inc., (Adler Development) 151 Fieldcrest Avenue, Block 390-E, Lot 5, posted a Cash Performance check no. 500-3117700 in the amount of \$8,000.00 on deposit in account #7761417067 with the Township of Edison to guarantee the installation of trees. **This check was posted for 16 Trees to be planted, regarding Tree Permit #11-001 for a Temporary Certificate of Occupancy; 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, the Township Engineer, recommends the release of the Cash Performance Bond Check posted in the amount of \$8,000.00, plus accrued interest, if applicable, be refunded to the applicant, principal being Advanced Roofing Inc. having an address of 1950 NW 22nd Street, Fort Lauderdale, FL 33311; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Cash Performance Bond in the amount of \$8,000.00, plus accrued interest, if applicable, be refunded 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 \$8,000.00, plus accrued interest, if applicable, on deposit in account #7761417067 to the applicant.

RESOLUTION R.076-022013

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at 881 Route 1 South, under Tree Permit No. 09-075.

WHEREAS, on August 13, 2010, Waseem Enterprises LLC posted Tree Maintenance Bond fees in the amount of \$1,275.00 on deposit in account #7760275104 with the Township of Edison to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit No. 09-075, located at 881 Rt1 S & Old Post Rd, Block No. 265-AA, Lot 115; 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 \$1,275.00, 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 \$1,275.00, 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 \$1,275.00, plus accrued interest, if applicable, on deposit in Account #7760275104 to Waseem Enterprises LLC having an address of 11 Dean St., Madison, N.J. 07904.

RESOLUTION R.077-022013

EXPLANATION: Resolution Refunding Maintenance Bond on Established Site Improvements under Application No. Z01-07/08, Waseem Enterprises, on 881 Route 1, at Route 1 South & Old Post Road.

WHEREAS, the Township Engineer advises that an inspection has been made of Waseem Enterprises located at Rt. 1 South & Old Post Road, 881 Route 1, in Block 265-AA, and Lot 115, under Application No. Z01-07/08, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on November 10, 2010, Daniyal Enterprises LLC posted a Maintenance Bond Check #1825 in the amount of \$8,742.45 on deposit in account #7761417042 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 #1825 in the amount of \$8,742.45, principal being Daniyal Enterprises LLC having offices at 11 Dean St., Madison, N.J. 07940 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 \$8,742.45 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 \$8,742.45 on deposit in account #7761417042 to the applicant.

RESOLUTION R.078-022013

EXPLANATION: Resolution Refunding Unused Portion of Engineering Inspection Fees on Completed Site Plan Improvements for Gooding Court Minor Subdivision, under Application # P4833.

WHEREAS, the Township Engineer advises that a final inspection was done of Ed Tofigh's development, Phase I, located at Gooding Court, Block 490-N, Lot(s) 3-S-1, 57-59; and

WHEREAS, the Cash Performance and Performance Bond were released on October 25, 2002 on Resolution #610-112002; and

WHEREAS, on December 30, 1996, Ed Tofigh posted inspection fees in the amount of \$480.22 on deposit in account #7200024525 with the Township of Edison for the required engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, the applicant has requested the return of the unused portion of engineering inspection fees, as provided by law; and

WHEREAS, the sum expended for engineering inspections totals \$390.88; and

WHEREAS, it is in now in order that the sum of \$89.34, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Ed Tofigh, having an address of 4 Sinclair Road, Edison, N.J. 08820; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$89.34, plus accrued interest, if applicable, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$89.34, plus accrued interest, if applicable, in account #7200024525 to the applicant.

RESOLUTION R.079-022013

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at 196 Tingley Lane, under Tingley Woods I LLC, Tree Permit # 07-41.

WHEREAS, on April 17, 2007, Tingley Woods I LLC posted Tree Maintenance Bond fees in the amount of \$9,675.00 on deposit in account #7760237703 with the Township of Edison to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond under Tree Permit #07-41, located at 196 Tingley Lane, under application # P5033; 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 \$9,675.00, 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 \$9,675.00, 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 \$9,675.00, plus accrued interest, if applicable, on deposit in Account #7760237703 to Tingley Woods I LLC having an address of 505 Thornall Street, Suite 300, Edison, N.J. 08837.

RESOLUTION R.080-022013

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

WHEREAS, on July 20, 2012, a Construction (Building) Permit fee, check #5131, permit # 2011-2439, was posted in the total amount of \$51.00 by the contractor, Friendly Electric, having offices at 245 South Main Street, Milltown, NJ 08850; and

WHEREAS, the application was submitted to install a 20 Amp circuit and receptacle at 13 Schuyler Drive by the hired contractor, Friendly Electric, 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 and paid by the Contractor for a bonafide senior resident, and it is therefore appropriate that the municipal permit fee in the amount of \$50.00, derived from the \$51.00 total construction permit fee less the \$1.00 DCA fee, be refunded to the contractor Friendly Electric, having their office at 245 South Main Street, Milltown, NJ 08850; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-2439, in the amount of \$50.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$50.00 on construction permit fees posted by Friendly Electric for 13 Schuyler Drive be refunded to the contractor, who paid in error;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$50.00 from the Refund of Revenue Fund to the Contractor, Friendly Electric, 245 South Main Street, Milltown , NJ 08850.

RESOLUTION R.081-022013

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 12-25-01R: 2012 CDBG Curb and Sidewalk Replacement Program, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$11,997.81 to M Sky Construction Corp., for a total construction contract as-built cost of \$239,956.06 (\$282,875.00 original bid).

WHEREAS, M Sky Construction Corporation, 830 Route 15 South, Lake Hopatcong, NJ 07849 (phone # 973-663-5047) was awarded a construction contract through resolution R.384-062012 on June 27, 2012 (purchase order no. 12-03435) in an amount not to exceed \$282,875.00 for Public Bid No. 12-25-01R: 2012 CDBG Curb and Sidewalk Replacement Program, within Census Tract 17.01, Census Block 3, in the Township of Edison, Middlesex County, New Jersey; and

WHEREAS, the Township Engineer has reviewed the project with the CDBG Coordinator and the Township Engineer certifies that the project has been completed, and that a two-year (2-year) maintenance bond, effective from January 4, 2013, in an amount equivalent to 100% of the final as-built construction costs of \$239,956.06 for the project has been received by the Township of Edison, and the Township Engineer recommends project acceptance, release of the performance bond, and that final payment, including retainage, be made to M Sky Construction Corporation, in an amount not to exceed \$11,997.81, for a total construction contract as-built cost of \$239,956.06.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the construction project, Public Bid No. 12-25-01R: 2012 CDBG Curb and Sidewalk Replacement Program, within Census Tract 17.01, Census Block 3, in the Township of Edison, Middlesex County, New Jersey, is deemed accepted by the Township of Edison, subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to M Sky Construction Corporation, in an amount not to exceed \$11,997.81 for a total construction contract as-built cost of \$239,956.06, and the remaining contract balance of \$42,918.94 shall be unencumbered after final payment is made and said amount restored to the appropriate account.

RESOLUTION R.082-022013

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$3,550.00 FOR A-PLUS CONSTRUCTION FOR CASE NUMBER 0811, FOR A TOTAL REVISED CONTRACT AMOUNT OF \$13,000.00

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 INCORPORATED, 18 Station Road, Lincoln Park, NJ 07035, was awarded a contract through resolution R.780-112012 in the amount of \$9,450.00; and

WHEREAS, during the course of the work, additional repairs in the amount of \$3,550.00 were found to be needed including emergency electrical work and siding and fascia repair and replacement of deteriorated wood over rear door and window; and

WHEREAS, funds in the amount of \$3,550.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-12-0510-000-001.

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 INCORPORATED, in an amount not to exceed \$3,550.00 resulting in a total contract amount of \$13,000.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$3,550.00** are available for the above contract in Account No. **T-14-12-0510-000-001**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.083-022013

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO A TEAM CONCRETE FOR
EDISON MUNICIPAL COMPLEX ADA & SITE IMPROVEMENTS**

WHEREAS, bids were received by the Township of Edison on November 20, 2012 for Public Bid No. 12-25-04-Edison Municipal Complex ADA & Site Improvements; and

WHEREAS, A TEAM CONCRETE, 104 George St., South River, NJ 08882 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of the purchase shall not exceed \$216,555.00, (\$160,555.00 for base bid and \$56,000.00 for Alternate #1); and

WHEREAS, funds for this purchase have been certified to be available as follows:

\$82,305.00 - Account No. T-14-10-0520-000-003-ADA Improvements to Police Entrance
\$35,020.10 - Account No.C-04-03-1352-382-003-Municipal Complex, Stelton ADA Improvements
\$1,928.62 - Account No.C-04-05-1452-391-004-Repair Firehouses and Municipal Complex
\$50,369.75 - Account No.C-04-07-1565-402-002-Admin-Repairs to Concrete Exterior
\$46,931.53 - Account No. C-04-08-1616-240-410-Police-Building Improvements

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 A TEAM CONCRETE, 104 George St., South River, NJ 08882 for Edison Municipal Complex ADA & Site Improvements, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$216,555.00, and any other necessary documents, with A TEAM CONCRETE as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$216,555.00 are available as follows:

\$82,305.00 in Account No. T-14-10-0520-000-003
\$35,020.10 in Account No. C-04-03-1352-382-003
\$1,928.62 in Account No. C-04-05-1452-391-004
\$50,369.75 in Account No. C-04-07-1565-402-002
\$ 46,931.53 in Account No. C-04-08-1616-240-410

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.084-022013

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO HYDRA-
NUMATIC SALES COMPANY FOR REPLACEMENT MOTORS AT THE PED PLACE PUMP STATION**

WHEREAS, an emergency occurred at the Ped Place Pump Station on January 24, 2013, causing an emergency effecting the welfare of the public; and

WHEREAS, upon investigation it was determined that the pump motors needed to be replaced including additional inter-reliant components to restore the station to proper operation; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, HYDRA-NUMATIC SALES COMPANY, P.O. Box 760, Butler, NJ 07405 submitted a quote in the amount of \$29,000.00; and

WHEREAS, funds in the amount of \$29,000.00 have been certified to be available in the Sewer Machinery Parts Account, Number 3-07-55-0501-000-039.

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/purchase order in the amount of \$29,000.00, and any other necessary documents, with HYDRA-NUMATIC SALES COMPANY, P.O. Box 760, Butler, NJ 07405, for replacement motors for the Department of Public Works Ped Place Pump Station.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$29,000.00** are available for the above contract in Account No. **3-07-55-0501-000-039**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.085-022013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT / PURCHASE ORDER TO SANITATION EQUIPMENT CORPORATION FOR THE PURCHASE OF LABRIE SANITATION PARTS FOR THE DIVISION OF SANITATION

WHEREAS, the Township of Edison, Division of Sanitation, is in need of purchasing Labrie parts for the Division of Sanitation's one arm trucks; and

WHEREAS, the Department of Public Works was unable to obtain quotes, as SANITATION EQUIPMENT CORPORATION, South 122, Route 17 North, Paramus, NJ 07652 is the sole authorized dealer for these parts; and

WHEREAS, SANITATION EQUIPMENT CORPORATION, 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 SANITATION EQUIPMENT CORPORATION from making any reportable contributions through the term of this one year contract; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the exact amount for this contract, not to exceed \$60,000.00, cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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)).

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

1. The Mayor or her designee is hereby authorized to execute a contract/purchase order with SANITATION EQUIPMENT CORPORATION, in an amount not to exceed \$60,000.00.
2. 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.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

RESOLUTION R.086-022013

RESOLUTION AWARDED CONTRACT TO COLGATE PAPER STOCK CO., INC. FOR EDISON TOWNSHIP RECYCLING-RECEIPT AND MARKETING

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on December 5, 2012, for RFP 12-10, EDISON TOWNSHIP RECYCLING-RECEIPT AND MARKETING for a bid opening date of December 19, 2012 and three (3) proposals were received; and

WHEREAS, after review of said proposals, it has been recommended by the Township that the contract be awarded to COLGATE PAPER STOCK CO., INC., 12 Industrial Dr., New Brunswick, NJ 08901 at the price of

\$50.00 for mixed paper, \$70.00 for cardboard, and \$40.00 for single stream; in addition, there is a 50% market escalator for mixed paper, cardboard and single stream; and

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

1. All proposals have been reviewed, and the proposal as submitted by COLGATE PAPER STOCK CO., INC., 12 Industrial Dr., New Brunswick, NJ 08901 for Recycling Receipt and Marketing is determined to be the most advantageous, responsible, responsive proposal for this service.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amounts as indicated above and any other necessary documents, with COLGATE PAPER STOCK CO., INC. in accordance with their proposal.

RESOLUTION R.087-022013

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase automotive parts for Heavy Duty Vehicles for the Township of Edison; and

WHEREAS, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 73722 under T-2085/Automotive parts for Heavy Duty Vehicles; 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 total amount of this contract, not to exceed \$45,000.00, 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)).

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/purchase order in the amount not to exceed \$45,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, 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. 73722 under T-2085.

RESOLUTION R.088-022013

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase Maintenance and Repair for Heavy Duty Vehicles for the Township of Edison; and

WHEREAS, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 73487 under T-2108/Maintenance and Repair for Heavy Duty Vehicles; 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 total amount of this contract, not to exceed \$10,000.00, 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)).

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/purchase order in the amount not to exceed \$10,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, 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. 73487 under T-2108.

RESOLUTION R.089-022013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NORTHEAST FLUID POWER CO. II, INC. FOR EMERGENCY PUMP STATION REPAIRS

WHEREAS, bids were received by the Township of Edison on January 18, 2013 for Public Bid No. 13-01-05, Emergency Pump Station Repairs, for the Department of Public Works; and

WHEREAS, NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$45,000.00, 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)).

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 NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081 for Emergency Pump Station Repairs for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$45,000.00, and any other necessary documents, with NORTHEAST FLUID POWER CO. II, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.090-022013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CAMPBELL FREIGHTLINER, LLC FOR THE PURCHASE OF A 2013 REFUSE COLLECTION TRUCK-25 CU YD

WHEREAS, bids were received by the Township of Edison on October 3, 2012 for Contract No. 12-09-18 - 2013 Refuse Collection Truck-25 CU YD; and

WHEREAS, CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Rd., Edison, NJ 08817 submitted the lowest legally responsible, responsive bid; and

WHEREAS, Resolution R.787-112012 authorized the award of a contract to CAMPBELL FREIGHTLINER, LLC. for the purchase of one Refuse Collection Truck – 25 CU YD; and

WHEREAS, contract specifications allow for additional purchases under this contract and the Township of Edison wishes to exercise this option to purchase one additional truck; and

WHEREAS, funds in the amount of \$187,888.00 have been certified to be available in the Purchase of an Automated Truck Account, Number C-04-12-1817-370-001.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, the Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Rd., Edison, NJ 08817, as described herein, in the amount not to exceed \$187,888.00 for an additional Refuse Collection truck.

CERTIFICATION

I hereby certify that funds in the amount of \$187,888.00 are available for the above contract in Account No. C-04-12-1817-370-001.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.091-022013

**Middlesex County Multi-Jurisdictional Gang/Gun/Narcotics Task Force for 2012
Payment Acceptance**

Whereas; the Division of Police wishes to accept funding in the amount of \$6,000.00 for participating in the Middlesex County Multi-Jurisdictional; Gang/Gun/Narcotics Task Force; and

Whereas; the Edison Division of Police is one of six police departments in Middlesex County that is eligible to receive funding from the Middlesex County Prosecutor's Office PCLETA Trust Account ; and

Whereas; the funding allows for police departments to provide much needed additional equipment, technology, and training in the fight against crime.

Now, therefore, be it resolved that the Edison Township Council and the Division of Police declares it's acceptance of monies for participation in the Middlesex County Multi-Jurisdictional Gang/Gun/Narcotics Task Force in the amount of \$6,000.00.

Be It Further Resolved, that the Business Administrator be and is hereby authorized to accept the monies for and on behalf of the Township of Edison.

RESOLUTION R.092-022013

RESOLUTION AWARDED 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, 2013 through March 1, 2014 at a total cost of \$7,350.00; and

WHEREAS, funds in the amount of \$7,350.00 have been certified to be available in the Police Department Computer Hard & Software Account, Number 3-01-25-0240-000-059.

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

3. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$7,350.00, with COPLOGIC, INC., 231 Market Place, Suite 520, San Ramon, CA 94583 as set forth above.
4. 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 **\$7,350.00** are available for the above contract in Account No. **3-01-25-0240-000-059**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.093-022013

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
CENTRAL MILLWORK OF NJ, INC. FOR FURNISHING AND INSTALLATION OF COUNTER TOPS
FOR THE DIVISION OF POLICE**

WHEREAS, quotes were solicited by The Township of Edison for the furnishing and installation of countertops in a secured area for the Division of Police; and

WHEREAS, CENTRAL MILLWORK OF NJ, INC., 92 North Main St., Windsor, NJ 08561, submitted the lowest quote in the amount of \$7,983.96; and

WHEREAS, funds in the amount of \$7,983.96 have been certified to be available in the Section 20 Costs for Multi Purpose Costs Ordinance Account, No. C-04-07-1565-403-000.

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

1. All quotes have been reviewed, and the quote as submitted by CENTRAL MILLWORK OF NJ, INC., 92 North Main St., Windsor, NJ 08561 for the furnishing and installation of counter tops for the Division of Police is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents with CENTRAL MILLWORK OF NJ, INC. in the amount of \$7,983.96.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$7,983.96** are available for the above in Account No. C-04-07-1565-403-000.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.094-022013

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO INNOVATIVE DATA SOLUTIONS
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, P.O. Box 2468, Orlando, FL 32802-2468, has submitted a proposal to provide such services for the period of January 30, 2013 through January 29, 2014 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 3-01-25-0240-000-059.

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/purchase order and any other necessary documents, in the amount of \$6,840.00, with INNOVATIVE DATA SOLUTIONS, 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).
3. 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.

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. **3-01-25-0240-000-059**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.095-022013

WHEREAS, Mary T. Briggs has been employed as an Information and Records Manager with the Edison Division of Health since November 2002; and

WHEREAS, Mary T. Briggs has served as Registrar of Vital Statistics since February 6, 2007 and has received and maintained the Certified Municipal Registrar credential as required by law; and

WHEREAS, Mary T. Briggs has been re-appointed by Mayor Antonia Ricigliano as the Registrar of Vital Statistics; and

WHEREAS, it is the desire of the Municipal Council to confirm this appointment.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that Mary T. Briggs is hereby appointed as Registrar of Vital Statistics in accordance with N.J.S.A. 26:8-11 for a term of three years to expire on February 6, 2016.

The following Resolutions will be voted upon separately:

RESOLUTION R.054-022013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING February 7, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through February 7, 2013

FUND	AMOUNT
Current	\$14,273,313.66
Affordable Housing	9,260.83
Capital	3,998.00
Cash Performance	0.00
CDBG	131,614.88
Developers Escrow	6,098.93
Dog (Animal Control)	936.95
Federal Forfeited	1,273.00
Grant Funds	50,290.17
Law Enforcement	0.00
Park Improvement	0.00
Payroll Deductions	479,155.49
Sanitation Fund	181,252.79
Sewer Utility	2,013,011.31
Tax Sale Redemption	815,471.97
Tree Fund	1,000.00
Tree Planting	0.00
Trust	182,656.33
TOTAL	\$18,149,334.31

/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.

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

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

NAYS - None

Councilmember Lankey abstained from voting.

RESOLUTION R.064-022013

RESOLUTION AWARDED A ONE YEAR RENEWAL CONTRACT TO REDFLEX TRAFFIC SYSTEMS FOR AUTOMATED PHOTO ENFORCEMENT SYSTEM

WHEREAS, bids were received on January 14, 2009 for RFP-08-12, Automated Photo Enforcement System; and

WHEREAS, R.125-032009 dated March 11, 2009 authorized a three year contract with REDFLEX TRAFFIC SYSTEMS, 23751 N. 23rd Avenue, Phoenix, AZ 85085 which expires on April 14, 2012; and

WHEREAS, the contract allows for two (2), one (1) year renewals with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, Resolution R.168-032012 renewed the contract for one additional year for the period of April 15, 2012 – April 14, 2013; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second additional year commencing April 15, 2013.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract with REDFLEX TRAFFIC SYSTEMS for a period of one (1) year commencing April 15, 2013.

Councilmember Mascola indicated he will not be supporting this Resolution.

Councilmember Dr. Prasad said he is still waiting for the revenue reports and the number of accidents.

Chief Bryan said Redflex provides the reports.

Bill Stephens said he will share the reports from Redflex.

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

AYES - Councilmembers Gomez, Karabinchak, Lankey, and Lombardi

NAYS – Councilmember Mascola, Prasad, and Council President Diehl

RESOLUTION R.067-022013

EXPLANATION: A Resolution authorizing a refund of taxes for a disabled veteran.

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

WHEREAS, Steven R. Ross, is a veteran who has been determined to have suffered a 100% service-related disability and who resides at 608 Woodhaven Drive, Edison, Block 1142, Lot 24, Qualifier C0608; and

WHEREAS, the original determination of said disability was retroactive to March 9, 2011 and pursuant to N.J.S.A. 54:4.3-30 and Township Code Section 5-7 the Township Council by Resolution R.216-042011 adopted on April 13, 2011 authorized the appropriate exemption and refund being the cancellation of real property taxes for the 2nd, 3rd and 4th quarters of 2011 and a refund of taxes paid for the time period of March 9, 2011 thru March 31, 2011; and

WHEREAS, Mr. Ross appealed the effective date of his disability to the Department of Veterans Affairs and by letter of January 31, 2013 the Department of Veterans Affairs granted his appeal and revised the effective date of his disability to August 17, 2009; and

WHEREAS, as the Township allows a refund for the current year in which the application was submitted and the prior year, and where Mr. Ross has been paid a portion of the refund for the year the application was received by Resolution R.216-042011, and due to the revised effective date of his disability Mr. Ross is now owed a refund of taxes paid between March 9, 2011 and January 1, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block 1142, Lot 24, Qualifier C0608, assessed to Steven R. Ross, for the time period of paid between March 9, 2011 and January 1, 2010 be cancelled and refunded.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of Steven R. Ross for taxes he paid for the time period between March 9, 2011 and January 1, 2010 in the amount of \$4,565.52.

Councilmember Dr. Prasad said this has been a long time coming and is well deserved.

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

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

NAYS - None

RESOLUTION R.096-022013

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
TFR ENTERPRISES, INC. FOR WOOD WASTE PROCESSING/CHIPPING**

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on December 7, 2012, for Public Bid No. 12-02-04, WOOD WASTE PROCESSING/CHIPPING with a bid opening date of December 19, 2012 and there were four bidders that ranged in price from \$135,000.00 to \$175,000.00; and

WHEREAS, Resolution R.048-012013 rejected all bids pursuant to 40A:11-132a of the Local Public Contracts Law which allows rejection when the lowest bid substantially exceeds the cost estimate for goods or services; and

WHEREAS, the Township of Edison re-advertised for bids by public notice published in the Home News on January 30, 2013 with a bid opening date of February 13, 2013 and there were eight bidders that ranged in price from \$74,000.00 to \$315,000.00; and

WHEREAS, TFR ENTERPRISES, INC., 601 Leander Drive, Leander, TX 78641, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$74,000.00; and

WHEREAS, funds in the amount of \$74,000.00 have been certified to be available in the Disposal Fees Account, Number 3-09-55-0876-000-000.

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 TFR ENTERPRISES, INC., 601 Leander Drive, Leander, TX 78641 for Wood Waste Processing/Chipping, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$74,000.00, and any other necessary documents, with TFR ENTERPRISES, INC., 601 Leander Drive, Leander, TX 78641 as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$74,000.00** are available for the above contract in Account No. **3-09-55-0876-000-000**.

/s/ Janice Saponaro
Chief Financial Officer

Councilmember Karabinchak said the lowest bidder is a company from Texas. He said we have people out of work in New Jersey and felt we should put them back to work first. He indicated he will not pass one payment until he sees their certified payroll, insurance and contracts.

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

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

NAYS - None

COMMUNICATIONS:

NONE

ORAL PETITIONS AND REMARKS:

Jane Tousman, 14 Butler Road, said she is here to address the Visco application. She felt some of the answers given were not on the money. She said we do have a Green Acres Fund. The County does have money to acquire property for an alternate location for the church. She said when the Council retires to closed session, OPRA law requires that more of a description be given as to matters to be discussed.

Jose Flores, Resident, spoke on Resolution R.096-022013 and asked what the bidding process is.

Ms. Ruane said eight bids were received and the bid goes to the lowest responsible bidder.

Thomas Goeckel, 77 Saffran Avenue, said at a previous meeting there was an ordinance to change the position of Mayor to part time as the ordinance to make it a full time position was illegal. He asked after seven years, who brought this fact to the Council's attention.

Council President Diehl said that he stated at the last meeting that you can vote for whatever candidate for Mayor you choose to on Election Day. He said the job is 24-7.

Mr. Kemm explained why according to the Faulkner Act we could not enforce the previous ordinance.

Mr. Goeckel said he read the Faulkner Act and other municipalities with the Faulkner Act have full time Mayors. He felt this is a step backwards and Edison desires a full time Mayor.

Mr. Kemm explained that there are different forms of the Faulkner Act.

Thomas Elkhart, Resident, spoke on Resolution R.096-022013. He said he is Vice President of facilities for North Edison Baseball. He said on January 1st, the State was at the facility and said if the debris is not removed by January 15th FEMA will not pay for it. He said the pile is fifty feet high with no barrier around it. Children are playing on it and if someone gets injured, who is responsible.

Ms. Ruane said we received an extension of time and FEMA will pick it up at 75% of the cost.

Mr. Elkhart said the season opens on April 6th. He asked if the parking lot damage will be fixed when the debris is removed.

Council President Diehl said he will check with Mr. Roderman regarding putting a barrier around the pile of debris. He also said we will assess the damage to the parking lot when the debris is removed.

Hearing no further comments from the public Councilmember Prasad 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 Lankey, seconded by Councilmember Mascola, the meeting was adjourned at 7:50 p.m.

Robert C. Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk