

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

March 26, 2014

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, March 26, 2014. The meeting was called to order at 7:02 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

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

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, Public Works Director Roderman, Health Director Elliot, Recreation Director Halliwell, Deputy Police Chief Anderko, 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 December 14, 2013, and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES;

On a motion made by Councilmember Diehl, seconded by Councilmember Mascola, and duly carried, the Minutes of the Regular Meeting of January 8, 2014, Worksession Meeting of February 24, 2014 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Karabinchak introduced Senator Peter Barnes.

Senator Barnes expressed his condolences on the loss of a great Edison resident and colleague Jane Tousman. He said Ms. Tousman was a conservationist, activist and a kind-hearted and generous person and he would like to participate in conjunction with the Council on the selection of a dedication to honor Ms. Tousman.

Council President Karabinchak said they are working together with the Administration on different ideas for a memorial and they will keep him informed.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on March 14, 2014 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1858-2014	ORDINANCE AMENDS THE TOWNSHIP CODE TO CLARIFY THAT ON-STREET PARKING MAY BE TEMPORARILY SUSPENDED TOWNSHIP-WIDE IN THE EVENT OF AN EMERGENCY DUE TO SNOW-COVERED STREETS, TO ALLOW TIME FOR SNOWPLOWING.
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(The above Ordinance O.1858-2014 can be found in its entirety in Ordinance Book # 27.)

Council President Karabinchak declared the Public Hearing opened for O.1858-2014

Esther Nemitz, 162B Fay Street, said she supports this, but felt there are some areas where exceptions are needed and we should really take a look at areas that have special needs.

Council President Karabinchak said he will talk to Administration to address the areas of concern.

Councilmember Diehl said Ms. Nemitz brings up a good point. He felt we should compile a list of special areas and inform the residents of what the new rules are.

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

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

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

NAYS - None

O.1859-2014 ORDINANCE AMENDS THE TOWNSHIP CODE TO ESTABLISH A SET FINE SCHEDULE FOR THE FAILURE TO REMOVE SNOW AND ICE FROM SIDEWALKS AND STREETS.

(The above Ordinance O. 1859-2014 can be found in its entirety in Ordinance Book #27.)

Council President Karabinchak declared the Public Hearing opened for O.1859-2014

Irene Wall, 205 Fleet Avenue, said the problem with setting fines is that they are never collected. She felt the fines should be mandatory and non-negotiable.

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

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

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

NAYS - None

O.1860-2014 ORDINANCE AMENDS THE 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 AND CLARIFIES WHEN COMPETITIVE QUOTES MUST BE OBTAINED

(The above Ordinance O.1860-2014 can be found in its entirety in Ordinance Book #27.)

Council President Karabinchak declared the Public Hearing opened for O.1860-2014

Irene Wall, 205 Fleet Avenue, asked what the amount is being changed to and also who put this ordinance forth.

Council President Karabinchak said we are changing our ordinance to match the State statute.

Esther Nemitz, 162B Fay Street, said she is surprised by this ordinance. She asked how the Council will keep track of spending. She also asked if there are exceptions.

Ms. Ruane said the Council will still see the items on the bill list. The only difference is that there will not be a Resolution.

Mr. Northgrave said there are no exceptions.

Hearing no further comments, on a motion made by Councilmember Diehl, seconded by Councilmember Gomez, and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Gomez, the Ordinance was adopted.

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

NAYS - None

NEW BUSINESS
PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, APRIL 9, 2014.

The following Ordinances were introduced by title:

O.1861-2014

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$1,500,000 FOR THE PREPARATION OF AN APPROVED TAX MAP IN AND BY THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

On a motion made by Councilmember Mascola, seconded by Councilmember Diehl, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on April 9, 2014.

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

NAYS - None

O.1862-2014

THIS ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO REVISE AND UPDATE THE PER GALLON WATER RATES THE TOWNSHIP CHARGES RESIDENTIAL AND NON-RESIDENTIAL USERS FOR THE DISCHARGES OF NORMAL DOMESTIC SEWAGE.

On a motion made by Councilmember Lombardi, seconded by Councilmember Shah, 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 April 9, 2014.

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

NAYS - None

O.1863-2014

AN ORDINANCE AUTHORIZING THE TRANSFER OF BLOCK 692.L, LOT 3F, 23B GARFIELD PARK, EDISON, NJ TO THE EDISON AFFORDABLE HOUSING, INC.

On a motion made by Councilmember Shah, seconded by Councilmember Diehl, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on April 9, 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.125-032014 through R.140-032014.

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

Council President Karabinchak pulled Resolution R.128-032014, for separate vote.

The following Resolutions R125-032014 through R.127-032014 and R.129-032014 through R.140-032014 were adopted under the Consent Agenda on a motion made by Councilmember Mascola and seconded by Councilmember Shah.

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

NAYS - None

RESOLUTION R.125-032014

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 20, 2014

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 20, 2014

FUND	AMOUNT
Current	\$14,616,627.34
Affordable Housing	2,670.00
Capital	160,848.00
Cash Performance	0.00
CDBG	17,169.49
Developers Escrow	19,153.75
Dog (Animal Control)	4,134.94
Federal Forfeited	0.00
Grant Funds	26,530.39
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	851,351.94
Sanitation Fund	69,298.83
Sewer Utility	45,939.01
Tax Sale Redemption	399,929.49
Water Operation Fund	0.00
Tree Planting	75.00
Trust	312,604.25
TOTAL	\$16,526,332.43

/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 126-032014

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 **\$382,400.29**.

RESOLUTION R.127-032014

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	MEHTA, UMESH & RITA
PROPERTY LOCATION	14 OUT OF BOUNDS
BLOCK / LOT / QUALIFIER	415/63

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the tax years above, as follow:

DOCKET NUMBER	TAX YEAR	ASSESSMENT
006260-2012	2012	\$172,700
008811-2013	2013	\$172,700

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$15,724.33** for each year as follow

TAX YEAR	TAX AMOUNT

2012	\$7,821.58
2013	\$7,902.75

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$15,724.33**.

RESOLUTION R.129-032014

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, the Township of Edison has a need to renew the professional risk management consulting services as required in the bylaws of the Central Jersey Joint Insurance Fund for January 1, 2014 – December 31, 2014, and pursuant to N.J.S.A. 40A:10-36; 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 could exceed \$17,500.00; and

WHEREAS, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095, has submitted a proposal to provide such services for an amount equal to five point thirty one percent (5.31%) of Edison Township’s annual assessment as promulgated by the Fund not to exceed \$190,000.00; and

WHEREAS, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 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 ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS from making any reportable contributions through the term of the 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 and any other necessary documents with ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095 for professional risk management consulting services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. 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.

RESOLUTION R.130-032014

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO HODULIK AND MORRISON, P.A. FOR SEWER SERVICE RATE STUDY

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on January 27, 2014, for RFP 14-01, SEWER SERVICE RATE STUDY for a bid opening date of February 7, 2014 and two (2) proposals were received; and

WHEREAS, after review and evaluation of said bids it has been recommended that this contract be awarded to HODULIK AND MORRISON, P.A., 1102 Raritan Avenue, Highland Park, NJ 08904 in accordance with our RFP and their submittal; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, 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 proposals have been reviewed, and the proposal as submitted by HODULIK AND MORRISON, P.A., 1102 Raritan Avenue, Highland Park, NJ 08904 is determined to be the lowest, responsible, responsive proposal for SEWER SERVICE RATE STUDY.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00, and any other necessary documents, with HODULIK AND MORRISON, P.A. in accordance with their proposal.

RESOLUTION R.131-032014

EXPLANATION: A RESOLUTION CANCELLING OUTSTANDING AND OPEN CHECKS ISSUED BY THE TOWNSHIP OF EDISON WHICH WERE NEVER CASHED.

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, the Township of Edison in the County of Middlesex, New Jersey (the “Township”) desires to cancel any outstanding and open checks which are previous to the year 2013 for all Township funds

WHEREAS, the Township of Edison in the County of Middlesex, New Jersey (the “Township”) feels it is in the best interest of the Municipal Accounts to have such funds returned and voided from the computer system;

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON, MIDDLESEX COUNTY, NEW JERSEY that: such action shall be taken immediately after the adoption of this resolution and the checks are to be voided after adoption of this resolution and the funds shall become a part of the fund called operation.

RESOLUTION R.132-032014

EXPLANATION: This resolution will suffice to add additional funds to be add to the temporary budget for the use to of Township Expenditures until a permanent budget is adopted.

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2014 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, it is imperative for the operation of the Township of Edison to adopt temporary appropriations:

WHEREAS, the use of said funds must be added to the 2014 budget which is not yet adopted and;

WHEREAS, these funds are added to the temporary budget for 2014 thru the declaration of this resolution and;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, in the County of Middlesex, State of New Jersey , that the following temporary funds be made available and a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

See attached spreadsheet

RESOLUTION R.133-032014

RESOLUTION ACCEPTING QUOTE AND AWARING CONTRACT TO A-PLUS CONSTRUCTION FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2012 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, quotes were solicited by the Township of Edison for Case Number 0213; and

WHEREAS, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the lowest quote in the amount of \$1,800.00; and

WHEREAS, funds in the amount of \$1,800.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-12-0510-000-001; 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. All quotes have been reviewed, and the quote in the amount of \$1,800.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be lowest quote received.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$1,800.00 and any other necessary documents, with A-PLUS CONSTRUCTION as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$1,800.00** are available for the above contract in Account No. **T-14-12-0510-000-001**.

/S/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.134-032014

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO
MANDELL PLUMBING & HEATING, INC. FOR THE REPLACEMENT OF A HOT WATER
HEATER AT THE MUNICIPAL COMPLEX**

WHEREAS, an emergency occurred on February 27, 2014 at the Municipal Complex; and

WHEREAS, upon investigation it was determined that the hot water heater had failed and needed to be removed and replaced; 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, MANDELL PLUMBING & HEATING, INC., 17 Oliver St., Metuchen, NJ 08840 submitted a quote in the amount of \$10,000.00; and

WHEREAS, funds in the amount of \$10,000.00 have been certified to be available in the Various Improvements-Public Works Building, Number C-04-12-1817-370-002; 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 of \$10,000.00 and any other necessary documents, with MANDELL PLUMBING & HEATING, INC., 17 Oliver St., Metuchen, NJ 08840, for the removal and replacement of the hot water heater at the Municipal Complex.
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 **\$10,000.00** are available for the above contract in Account No. **C-04-12-1817-370-002**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.135-032014

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 February 20, 2014 for Public Bid No. 14-01-05, 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 \$150,000.00, 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 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 his designee, is hereby authorized to execute a contract in the amount not to exceed \$150,000.00, and any other necessary documents, with NORTHEAST FLUID POWER CO. II, INC. as described herein.

RESOLUTION R.136-032014

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO A.M.E. INC., FOR THE FURNISHING OF HVAC CONTROL SYSTEM UPGRADE AND MAINTENANCE/HVAC MAINTENANCE AND REPAIR

WHEREAS, bids were received by the Township of Edison on February 27, 2014 for Public Bid No. 14-02-05 HVAC Control System Upgrade and Maintenance/HVAC Maintenance and Repair; and

WHEREAS, A. M. E. INC., 1275 Bloomfield Ave., Bldg 2, Unit 17B, Fairfield, NJ 07004 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$120,000.00, 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 by A. M. E. INC., 1275 Bloomfield Ave., Bldg 2, Unit 17B, Fairfield, NJ 07004 for HVAC CONTROL SYSTEM UPGRADE AND MAINTENANCE/HVAC MAINTENANCE AND REPAIR 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 \$120,000.00 and any other necessary documents, with A. M. E. INC.
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.137-032014

RESOLUTION AUTHORIZING A REIMBURSEMENT TO ROBERT MUNDKOWSKY FOR THE ABC PROGRAM

WHEREAS Robert Mundkowsky made payment in the amount of \$260.00 for the month of April 2014 for his child, Elizabeth Mundkowsky’s participation in the afternoon ABC Program at Woodbrook Elementary School; and

WHEREAS the family moved and the child was removed from the program prior to attending.

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 \$260.00 to Robert Mundkowsky, 26 Gulf Rd., East Brunswick, NJ 08816, which amount represents the overpayment for the ABC program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$260.00 are available in Account #4-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.138-032014

2014 Distracted Driving Statewide Crackdown Grant Approval and Initiative

WHEREAS, the Division of Police has been awarded grant funding in the amount of \$5000.00 to provide additional manpower hours to crack down on distracted drivers; and

WHEREAS, the number of people killed nationwide in distraction-affected crashes were 3,328 in 2012. An estimated 421,000 people were injured in motor vehicle crashes involving a distracted driver, this was a nine percent increase from the estimated 387,000 people injured in 2011; and

WHEREAS, an enforcement crackdown is planned to combat violations related to distracted driving; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; the project will involve increased enforcement from April 1-21, 2014; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council and the Division of Police wishes to accept the 2014 Distracted Driving Statewide Crackdown Grant scheduled for April 1-21, 2014 and pledges to increase awareness of laws pertaining to distracted drivers.

BE IT FURTHER RESOLVED, that the Business Administrator be and is hereby authorized to sign the aforesaid grant approval for and on behalf of the Township of Edison.

RESOLUTION R.139-032014

RESOLUTION ACCEPTING QUOTE AND AWARING CONTRACT/PURCHASE ORDER TO NIXLE, LLC FOR THE EMERGENCY NOTIFICATION SYSTEM FOR THE DIVISION OF POLICE

WHEREAS, quotes were solicited by The Township of Edison for the Emergency Notification System (reverse 9-1-1 services) for the Division of Police; and

WHEREAS, NIXLE, LLC, 3000 Atrium Way, Suite 102, Mount Laurel, NJ 08054 submitted the lowest quote in the amount of \$16,495.00 for the period of May 1, 2014 through April 30, 2015; and

WHEREAS, funds in the amount of \$16,495.00 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, No. 4-01-25-0250-000-026; 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. All quotes have been reviewed, and the quote as submitted by NIXLE, LLC, 3000 Atrium Way, Suite 102, Mount Laurel, NJ 08054, is determined to be the lowest quote for Emergency Notification System for the Division of Police.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$16,495.00, and any other necessary documents, with NIXLE, LLC.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$16,495.00** are available for the above in Account No. **4-01-25-0250-000-026**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.140-032014

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT
TO THE RODGERS GROUP, LLC FOR ONLINE TRAINING SOFTWARE FOR THE DIVISION
OF POLICE**

WHEREAS, bids were received by the Township of Edison on February 20, 2014 for Public Bid No.14-04-12 - Online Training Software for the Division of Police; and

WHEREAS, THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract not exceed \$23,680.00, 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 THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732 for Online Training Software for the Division of Police, 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 \$23,680.00 and any other necessary documents, with THE RODGERS GROUP, LLC as described herein.

The following Resolutions will be voted upon separately:

RESOLUTION R.128-032014

EXPLANATION: A Resolution authorizing the settlement of tax appeals filed by SBL Associates, LLC for

tax years 2012, 2013 and 2014.

WHEREAS, SBL Associates, LLC (the "Taxpayer"), the owner of property located at 2300 Woodbridge Avenue in Edison Township, County of Middlesex, and known as Block 371, Lot 20 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2012, 2013 and 2014; and

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

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

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

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

WHEREAS, the property was originally assessed for 2012, 2013 and 2014 as follows:

Land	\$123,600.00
Improvements	\$279,600.00
Total	\$403,200.00

WHEREAS, the proposed settlement provides for an assessment of the years as follows:

Year	2012	2013	2014
Land	\$123,600.00	\$123,600.00	\$123,600.00
Improvements	\$251,400.00	\$226,400.00	\$176,400.00
Total	\$375,000.00	\$350,000.00	\$300,000.00

WHEREAS, as part of the proposed settlement the Taxpayer for the year 2014 will file an appeal to the County Board of Taxation and/or the Tax Court in order to confirm the settlement for 2014; and

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

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

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment interest; and

WHEREAS, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Sitar Law Offices, LLC Attorney Trust Fund" and the taxpayer and forwarded to Sitar Law Offices, LLC within sixty (60) days of the date of the entry of judgment; and

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

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

2012	2013	2014
\$1,319.76	\$2,515.80	\$4,928.83

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

1. Upon receipt of the Tax Court Judgment for the 2012 and 2013 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2012	2013
Land	\$123,600.00	\$123,600.00
Improvements	\$251,400.00	\$226,400.00
Total	\$375,000.00	\$350,000.00

2. Upon receipt of the Tax Board or Tax Court Judgment for the 2014 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2014
Land	\$123,600.00
Improvements	\$176,400.00
Total	\$300,000.00

3. Interest is waived on the refunds, provided such refunds are provided as specified herein; and
4. The Conflict Tax Appeal Attorney for the Township, is hereby authorized to execute a Stipulation of Settlement relative to the property tax appeals filed for the years 2012 and 2013 for the property located in Edison Township, known as 2300 Woodbridge Avenue, Block 371, Lot 20 and the Conflict Tax Appeal Attorney and Conflict Tax Assessor are hereby authorized to enter into a Stipulation of Settlement for the 2014 tax year consistent with this Resolution; and
5. The Freeze Act will apply to the judgments to be issued by the New Jersey Tax Court and/or the County Board of Taxation; and
6. The form of Stipulation of Settlement for the 2012 and 2013 Docket Numbers is annexed hereto, having been reviewed by and approved by the Township Council of the Township of Edison and the Conflict Tax Appeal Attorney and Conflict Tax Assessor are hereby authorized to enter into a Stipulation of Settlement for the 2014 tax year consistent with this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that upon the receipt of the appropriate Tax Court and County Board of Taxation Judgments, the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited and the net refund due for the foregoing assessment reduction.

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

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

NAYS - None

Council President Karabinchak abstained

COMMUNICATIONS

- a. Letter received from Mr. Stochel regarding Short Hills Battlefield Historic District.
- b. Letter received from Mr. Bender regarding a Pedestrian walking bridge.

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

ORAL PETITIONS AND REMARKS

Council President Karabinchak opened the meeting for public comment.

Steve Nagel, 19 Back Drive, said that Suttons Lane is in horrible condition with severe potholes. He asked if this can be made a priority as it has been on the list for many years.

Mr. Roderman said he will look into this.

Walter Stochel, 2118 Oak Tree Road, asked why we are preparing new tax maps and will they be computerized. He also questioned whether the blocks and lots will change.

Council President Karabinchak said this is just the first step in surveying the entire Township.

Mr. Medina said the new maps will be computerized.

Mr. Stochel said that is good news and will move us into the 21st century. He spoke about a communication from Mr. Bender regarding a pedestrian overpass on Route 1 and Vineyard Road. He said we should check the Master Plan as he believes this was discussed back in early 2000 and would take 5 to ten years to complete.

Irene Wall, 205 Fleet Avenue, agreed that some type of memorial should be done for Jane Tousman in the Dismal Swamp as she worked tirelessly on that issue. She also went on to speak about the fence separating her property from the neighboring Mosque. She asked how much we paid for the Visco property.

Council President Karabinchak said the Township did not purchase the Visco property, the County did.

Esther Nemitz, 162B Fay Street referred to an article in the newspaper today regarding the 2% cap. She said there are many exceptions to this not in keeping with the 2% cap. She also commented on the communication from Mr. Bender regarding a pedestrian overpass. She felt Edison needs to be more pedestrian friendly. She also agreed that we should recognize Jane Tousman in some way for all her accomplishments.

Ravin Shah, 848 New Dover Road and President of Raritan Valley Rescue (RVR). He wanted everyone to know that RVR is still around and is the umbrella for all three volunteer squads. He said they are at the scene to do rehab for the Firefighters at all fires and provide a vital service. They recently provided assistance at the James Monroe school fire. He would like the Township to donate \$35,000 to each squad, along with the sharing of fuel and insurance costs.

Councilmember Dr. Prasad said the Township has had an agreement with JFK since August 2013 and the squads still have no agreement with JFK. He asked what they need from the Township.

Mr. Shah said that is correct. The process has been slow and there have been stops and starts on both sides. When the Township signed the contract with JFK it meant that the squads could no longer bill and donations are all they have. They need the \$35,000 contribution from the Township.

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

Having no further business to discuss, on a motion made by Councilmember Gomez, seconded by Councilmember Mascola, the meeting was adjourned at 8:00 p.m.

Robert Karabinchak
Council President

Cheryl Russomanno
Acting Municipal Clerk