

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

March 27, 2013

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, March 27, 2013. The meeting was called to order at 7:03 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

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

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Management Specialist Stephens, Business Administrator Ruane, Finance Director Saponaro, Public Works Director Roderman, Health Director Elliot, Recreation Director Halliwell, Police Captain 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 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 combined meeting of January 24, 2013; Worksession meeting of February 11, 2013 and March 11, 2013; and Regular meeting of February 13, 2013 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Diehl said today is the Hindu holiday of Holi and he also wished everyone a Happy Easter and Passover. He also said April 3rd at 1:00 p.m. is the ground breaking ceremony for the Gurley Road traffic light.

APPROVAL OF VOLUNTEER FIREFIGHTER

Applications for membership were received by:

Edison Volunteer Fire Company # 1
Jaquel Windbush

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

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on March 13, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1826-2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

(The above Ordinance O.1826-2013 can be found in its entirety in Ordinance Book #26.)

Council President Diehl declared the Public Hearing opened for O.1826-2013

Jane Tousman, 14 Butler Road, asked for an explanation of this Ordinance.

Ms. Ruane said this allows us to go to three and a half percent for banking not for spending

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

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

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

NAYS - None

Councilmember Prasad was absent.

The following Ordinance, which was introduced by Title on March 13, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1827-2013 ORDINANCE ESTABLISHES RESIDENTIAL PERMIT PARKING FOR ALEXIS LANE, BOTH SIDES, UNDER RESIDENTIAL PARKING ZONE #5, FROM THE SOUTHERLY INTERSECTION OF TALMADGE AND ALEXIS LANE UP TO AND THROUGH THE NORTHERLY INTERSECTION OF TALMADGE ROAD AND ALEXIS.

(The above Ordinance O. 1827-2013 can be found in its entirety in Ordinance Book #26.)

Council President Diehl declared the Public Hearing opened for O.1827-2013

Mr. Stochel, 2118 Oak Tree Road, questioned why we are doing this.

Mr. Medina said this is to correct the overflow parking from the ball field.

Mr. Stochel asked if there was any parking problem from the condos.

Mr. Medina said no it is mainly from the ball field.

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

On a motion made by Councilmember Mascola, seconded by Councilmember Lankey, the Ordinance was adopted.

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

NAYS - None

Councilmember Prasad was absent.

NEW BUSINESS

PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, APRIL 10, 2013)

The following Ordinance was introduced by title:

O.1828-2013 ORDINANCE REVISING CERTAIN UNIFORM FIRE SAFETY ENFORCEMENT FEES

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 April 10, 2013.

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

NAYS - None

Councilmember Prasad was absent.

The following Ordinance was introduced by title:

O.1829-2013 ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 112, LOT 5.03 LOCATED ON WALLACE STREET AND ADJOINING FRANK J. PAPAIIANNI, JR. MEMORIAL PARK AND THE EXPENDITURE OF EDISON OPEN SPACE PRESERVATION TRUST FUNDS FOR THE SAME

On a motion made by Councilmember Lombardi, seconded by Councilmember Karabinchak, 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 10, 2013.

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

NAYS - None

Councilmember Prasad was absent.

The following Ordinance was introduced by title:

O.1830-2013

ORDINANCE AUTHORIZING THE TRANSFER OF BLOCK 182, LOT 1A, 42-4 WOODEDGE AVENUE, EDISON TO THE EDISON AFFORDABLE HOUSING

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 April 10, 2013.

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

NAYS - None
Councilmember Prasad was absent.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.156-032013 through R.191-032013.

Jane Tousman, 14 Butler Road, she asked what the modification is on Resolution R.167-032013.

Mr. Kemm explained the Resolution.

Ms. Tousman asked if there were any other bidders for the trucks on Resolution R.185-032013.

Mr. Roderman said they were the low bidder and the sole bidder. It was bid once with no response. It was bid again and this was the sole bidder.

Walt Shneer, Park Way, questioned what is being built on Resolution R.165-032013.

Mr. Kemm said this is not for building this is to rearrange a parking lot in Raritan Center.

Esther Nemitz, 162B Fay Street, said she is in support of both Resolution R.161-032013 and R.190-032013.

Fred Wolke, 10 Peake Road, questioned why there are two Temporary Emergency Appropriation Resolutions.

Ms. Ruane said one is for 1/12th of the budget and the other is for anything that goes above the 1/12th amount.

Janice Saponaro, High Tor Drive, Watchung, said she is very pleased to see Resolution R.189-032013 regarding the appointment of Ms. Vallejo as Tax Collector. She congratulated her and wished her well.

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

Councilmember Lankey requested that Resolution R.156-032013 be pulled for separate vote.

Councilmember Karabinchak requested that Resolution R.191-032013 be pulled for separate vote.

The following Resolutions R.157-032013 through R.190-032013 were adopted under the Consent Agenda on a motion made by Councilmember Mascola and seconded by Councilmember Karabinchak.

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

NAYS - None
Councilmember Prasad was absent.

RESOLUTUION R.157-032013

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 \$204,914.29.

RESOLUTUION R.158-032013

**AUTHORIZING INCREASE OF TAX COLLECTION'S CHANGE FUND ESTABLISHED BY PRIOR
RESOLUTION R.011-012009**

WHEREAS, the Division of Tax Collection within the Department of Finance is responsible for collection of Property Taxes and Sewer User Charges; and

WHEREAS, a necessary part of collecting said charges is the ability to make the proper change resulting from the transactions; and

WHEREAS, six separate cash drawers and sets of change are currently maintained for a total amount of \$750.00 was established by prior resolution R.11-012009.

WHEREAS, an additional separate cash drawer needs to be established to continue guaranteeing individual accountability, and an additional \$100 set of change is required to fund it,

WHEREAS, the current cash fund of \$750 is required to be increased to \$850 to obtain the additional \$100 fund.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey the Change Fund in the amount of \$750.00 is hereby increased to \$850 for the Division of Tax Collection

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to draw a check in the amount of \$100.00 to increase the change fund.

BE IT FURTHER RESOLVED that the Collector of Taxes be responsible for the maintenance of this Change Fund.

RESOLUTUION R.159-032013

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.

Emergency temporary appropriations be and the same are hereby made in the amount of \$50,000 as follows:

DATA PROCESSING	3-01-20-0140-000-059	OE	\$50,000.00
		TOTAL:	\$50,000.00

RESOLUTUION R.160-032013

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.

RESOLUTUION R.161-032013

WHEREAS, John Vitali presently serves as a Trustee of the Edison Township Library Board of Trustees;
and

WHEREAS, Mayor Ricigliano by letter of March 14, 2013 has reappointed John Vitali to serve as a Trustee of the Edison Township Library Board of Trustees for a five (5) year term effective January 1, 2013 through December 31, 2017, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 40:54-9, 40:54-10 and Township Code Section 2-97.1; and

WHEREAS, the Township Council wishes to consent to this reappointment.

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:

1. John Vitali is hereby reappointed to serve as a Trustee on the Edison Township Library Board of Trustees.
2. This appointment shall be for a five (5) year term effective January 1, 2013 through December 31, 2017.

RESOLUTUION R.162-032013

RESOLUTION AWARDDING CONTRACT/PURCHASE ORDER TO EDMUNDS & ASSOCIATES, INC. FOR RENEWAL OF SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM FOR 2013

WHEREAS, the Township of Edison needs to renew the software maintenance for the Edmunds System for 2013; and

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

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

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

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

WHEREAS, EDMUNDS & ASSOCIATES, INC., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit EDMUNDS & ASSOCIATES, INC. from making any reportable contributions through the term of the contract.

WHEREAS, funds in the amount of \$48,495.00 have been certified to be available in the Data Processing-Computer Hardware and Software Account, Number 3-01-20-0140-000-059, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

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

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

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$48,495.00** are available for the above contract in Account No. **3-01-20-0140-000-059**, subject to and contingent upon appropriation of sufficient funds in the 2013 budget.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTUION R.163-032013

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, The Township of Edison has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Edison intends to utilize the online auction services of US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 , web address www.usgovbid.com, for the amount of one and one-half percent (1 1/2%) of the receipts of sales; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 – Revised October, 2011.

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

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, and www.usgovbid.com.
2. The terms and conditions of the sale are available at www.usgovbid.com.
3. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

RESOLUTUION R.164-032013

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$1,500 FROM EXXON MOBIL CORPORATION TO SUPPORT IMPROVEMENTS AND PROGRAMING AT THE EDISON SENIOR CENTER

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$1,500 from the Exxon Mobil Corporation; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds to provide facility improvements and additional programming at the Edison Senior Citizen Center; and

WHEREAS, these improvements will have a significant benefit to the residents of Edison who visit the Edison Senior Center; and

WHEREAS, no matching funds are required to accept this grant award;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$1,500, and that the Mayor, or her designee is hereby authorized to execute any and all documents with respect to this grant described herein.

RESOLUTUION R.165-032013

EXPLANATION: This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with Federal Business Centers, Inc. in connection with the property identified as Block 395, Lot 22, commonly referred to as 300 Raritan Center Parkway, as shown on the Edison Township tax map (the "Property").

WHEREAS, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), by Federal Business Centers, Inc. for approval of a minor site plan approval with bulk variance relief to permit modifications to and addition of parking spaces in parking lots serving the complex of buildings known as "Campus Plaza" on its property at 300 Raritan Center Parkway, as shown as Block 395 Lots 22 on the Township Tax Map (the "Project"); and

WHEREAS, the Board granted the requested minor site plan, with variances and exceptions and memorialized the same by Resolution on September 19, 2012; and

WHEREAS, the Planning Board Resolution 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.

RESOLUTUION R.166-032013

EXPLANATION: A Resolution authorizing a Shared Services Agreement with the County of Middlesex for the recovery of Edison's Hazmat response costs.

WHEREAS, the County of Middlesex proposes a shared service agreement for the County to recover Hazmat (hazardous materials) response costs incurred by the Township of Edison for the 2013 calendar year; and

WHEREAS, the County will be the lead agency for recovery of all Hazmat response costs incurred by the Township of Edison when the Township responds to Hazmat spills coordinated by the County, and the Township will not be charged for the County's services in this regard as the County will recoup their administrative expenses for this service from the party responsible for the Hazmat spill; and

WHEREAS, the Township of Edison wishes to enter into a Shared Services Agreement with the County of Middlesex, attached hereto, for the provision of the recovery of Hazmat response costs as permitted by the "Uniform Shared Services and Consolidation Act" N.J.S.A. 40A:65-1, et seq.

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

1. The attached Shared Services Agreement between the Township of Edison and the County of Middlesex for the provision of the recovery of Hazmat response costs is hereby approved by the Township Council.
2. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Shared Services Agreement between the Township of Edison and the County of Middlesex for the provision of the recovery of Hazmat response costs attached hereto and all other documents and undertake all actions reasonably necessary to effectuate and implement this Resolution and the terms of the Shared Services Agreement.

RESOLUTUION R.167-032013

Explanation: A Resolution establishing a COAH affordability assistance program for emergency repairs and adopting a manual for the program.

WHEREAS, a component of the Township of Edison's affordable housing Fair Share Plan involves the collection of affordable housing development fees in order to create a dedicated revenue source for the Township to implement its Fair Share Plan and Spending Plan; and

WHEREAS, COAH initially approved the Township's Affordable Housing Development Fee Ordinance on May 28, 2000 and an amendment to the ordinance on March 19, 2009 and the Township will utilize the funds collected through said Ordinance to implement its Fair Share Plan and Spending Plan; and

WHEREAS, the Township has an approved Spending Plan which is now updated and is awaiting approval of an amended Spending Plan by COAH, and, both plans involve mechanisms as authorized by COAH for the Township to meet its fair share obligation for affordable housing; and

WHEREAS, COAH regulation N.J.A.C. 5:97-8.8(a) requires that at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low and moderate income households in affordable units which affordability assistance programs may include assistance with emergency repairs; and

WHEREAS, COAH rules and regulations require a Resolution to establish an affordability assistance program and Edison now desires to establish an affordability assistance program for emergency repairs and to adopt the attached Manual for Emergency Repairs which has been prepared in accordance with COAH's directives.

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

1. The Township Council hereby approves, authorizes and establishes an affordability assistance program for emergency repairs pursuant to N.J.A.C. 5:97-8.8(a).
2. The Township Council hereby approves and adopts the attached Manual for Emergency Repairs which has been prepared in accordance with COAH's directives.

RESOLUTUION R.168-032013

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

WHEREAS, on August 7, 2012, a Construction (Building) Permit fee, Check #4934, permit # 2012-2730, was posted in the total amount of \$140.00 by the contractor, Michael Mandell Plumbing, having offices at 17 Oliver Street , Metuchen, NJ 08840; and

WHEREAS, the application was submitted to replace the furnace at 7 Darrell Court by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$135.00, derived from the \$140.00 total construction permit fee less the \$5.00 DCA fee, be refunded to the Homeowner Patricia Davis, residing at 7 Darrell Court, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2012-2730, in the amount of \$135.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$135.00 on construction permit fees posted by Michael Mandell Plumbing, for 7 Darrell Court be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$135.00 from the Refund of Revenue Fund to the Homeowner, Patricia Davis at 7 Darrell Court, Edison , NJ 08817.

RESOLUTUION R.169-032013

EXPLANATION: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2013 CONSOLIDATED ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2013 Community Development Block Grant in the estimated amount of Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842);

WHEREAS, the Township can budget a total of Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842) to fund eligible 2013 activities that are attached and listed as the Proposed Summary of FY13 Annual Action Plan Allocations that will be carried out during the 2013 Program Year;

WHEREAS, A Public Hearing was held on February 7, 2013 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2013 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for Five Hundred Twenty One Thousand Eight Hundred Forty Two Dollars (\$521,842), which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY13 Annual Action Plan Allocations and listed in the 2013 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY13 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2013 Consolidated Annual Plan.

Section 6. The CDBG Coordinator shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

RESOLUTUION R.170-032013

EXPLANATION: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2013 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FORMULA PROGRAM GRANT THROUGH THE FILING OF THE FISCAL YEAR 2013 ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to address the supportive housing needs of low-income persons living with HIV/AIDS and their families; and

WHEREAS, through a statutory method to allocate HOPWA funds, the Township of Edison qualifies to administer these funds on behalf of the metropolitan area, including Middlesex and Somerset Counties, Monmouth County and Ocean County; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2013 Housing Opportunities for Persons with AIDS (HOPWA) Formula Program Grant in the estimated amount of One Million, Four Hundred Twenty Two Thousand, Eight Hundred Seventy Three Dollars (\$1,422,873); and

WHEREAS, the Township will serve as the lead jurisdiction for the eligible metropolitan statistical area (EMSA) and receive a total of One Million, Four Hundred Twenty Two Thousand, Eight Hundred Seventy Three Dollars (\$1,422,873) to fund eligible 2013 activities that will be carried out during the 2013 Program Year; and

WHEREAS, A Public Hearing was held on February 7, 2013 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The application for the Housing Opportunities for Persons with AIDS (HOPWA) Formula Grant Program for Fiscal Year 2013 under the Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for One Million, Four Hundred Twenty Two Thousand, Eight Hundred Seventy Three Dollars (\$1,422,873), which the U.S. Department of Housing and Urban Development has indicated it is willing to make available to carry out the Housing Opportunities for Persons with AIDS (HOPWA) Program listed in the 2013 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

RESOLUTUION R.171-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000066, to the following:

Permit Number:	0115
Opening Location:	3 Terrill Road
Block/Lot:	198.F/8
Applicant's Name & Address:	A-Absolute Construction

115 East 11th Avenue
Roselle, NJ 07203
Initial Deposit Date: 10/01/12
Deposit Amount: \$480.00
Paid by & refunded to: Kimberly D. Jones
1045 Grove Avenue
Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.172-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000050, to the following:

Permit Number: 10150
Opening Location: 6 Smalley Road
Block/Lot: 265.Q/13
Applicant's Name & Address: Force Plumbing and Heating
P.O. Box 7186
North Brunswick, NJ 08902
Initial Deposit Date: 03/15/12
Deposit Amount: \$360.00
Paid by & refunded to: Force Plumbing and Heating, LLC
General Account
974 Livingston Avenue
North Brunswick, NJ 08902

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.173-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000059, to the following:

Permit Number: 10134
Opening Location: 27 Third Street
Block/Lot: 694.E/27
Applicant's Name & Address: J W Landscape Contractors, Inc.
39 Minna Street
Rahway, NJ 07095
Initial Deposit Date: 02/21/12
Deposit Amount: \$360.00
Paid by & refunded to: J W Landscape Contractors, Inc.

3 River Vista Lane
Pt. Pleasant Beach, NJ 08742

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.174-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000040, to the following:

Permit Number: 10277
Opening Location: 20 Brox Road
Block/Lot: 169.A/6
Applicant's Name & Address: Resolve Rooter
216 West Bristol Road
Warminster, PA 18974
Initial Deposit Date: 11/18/11
Deposit Amount: \$480.00
Paid by & refunded to: Resolve Rooter, Inc.
DBA Resolve Trenchless Technologies
Permit Account
P.O. Box 2009 Warminster, PA 18974

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.175-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000036, to the following:

Permit Number: 10267
Opening Location: 19 Dolores Drive
Block/Lot: 56.A/24
Applicant's Name & Address: Resolve Rooter
216 West Bristol Road
Warminster, PA 18974
Initial Deposit Date: 11/03/11
Deposit Amount: \$480.00
Paid by & refunded to: Resolve Rooter, Inc.
DBA Resolve Trenchless Technologies
Permit Account
P.O. Box 2009 Warminster, PA 18974

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.176-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000052, to the following:

Permit Number:	10189
Opening Location:	309 Hoover Avenue
Block/Lot:	693.A/13
Applicant's Name & Address:	Roto-Rooter 80 Veronica Avenue Somerset, NJ 08873
Initial Deposit Date:	04/11/12
Deposit Amount:	\$480.00
Paid by & refunded to:	Roto-Rooter Services Company 80 Veronica Avenue Somerset, NJ 08873

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.177-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000062, to the following:

Permit Number:	0090
Opening Location:	45 Fox Road
Block/Lot:	298/37
Applicant's Name & Address:	Silagy Contracting, LLC 614 Old Post Road Edison, NJ 08817
Initial Deposit Date:	08/03/12
Deposit Amount:	\$480.00
Paid by & refunded to:	Silagy Contracting, LLC 614 Old Post Road Edison, NJ 08817

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.178-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000059, to the following:

Permit Number: 0051
Opening Location: 355 Clearview Road
Block/Lot: 390.C/24
Applicant's Name & Address: Verizon Wireless (NJ)
6000 Hadley Road
Southfield, NJ 07080
Initial Deposit Date: 04/16/12
Deposit Amount: \$704
Paid by & refunded to: Verizon Wireless (NJ)
6000 Hadley Road
South Plainfield, NJ 07080

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.179-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000041, to the following:

Permit Number: 10140
Opening Location: 1685 Frank Street
Block/Lot: 405/1
Applicant's Name & Address: Ziga Homes, Inc
910 Amboy Avenue
Edison, NJ 08837
Initial Deposit Date: 01/05/12
Deposit Amount: \$400.00
Paid by & refunded to: Ziga Homes
89 Webb Street
Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.180-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000067, to the following:

Permit Number: 0117
Opening Location: 890 Ellis Parkway
Block/Lot: 913/8.A
Applicant's Name & Address: Gulberg Builders
5 Payne Court
Edison, NJ 08820
Initial Deposit Date: 10/10/12
Deposit Amount: \$360.00
Paid by & refunded to: Gulberg Builders, LLC
Shamima Ali
5 Payne Court
Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.181-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000039, to the following:

Permit Number: 10274
Opening Location: 8 Bradford Road
Block/Lot: 557.X/9
Applicant's Name & Address: Decotemp Construction Company
8 Norcross Avenue
Metuchen, NJ 08840
Initial Deposit Date: 11/14/11
Deposit Amount: \$480.00
Paid by & refunded to: Hitesh C. Trivedi
Aparna D. Trivedi
8 Bradford Road
Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.182-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000069, to the following:

Permit Number: 0125
Opening Location: 1171 Inman Avenue
Block/Lot: 428/1
Applicant's Name & Address: Kleinfelder
3 AAA Drive
Hamilton, NJ 08691
Initial Deposit Date: 10/23/12
Deposit Amount: \$100.00
Paid by & refunded to: Kleinfelder East, Inc.
5015 Shoreham Place
San Diego, CA 92122

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.183-032013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000058, to the following:

Permit Number: 0056
Opening Location: 333 Rahway Road
Block/Lot: 410.C/13
Applicant's Name & Address: Carroccia Co.
336 U.S. 22
Greenbrook, NJ 08812
Initial Deposit Date: 05/25/12
Deposit Amount: \$480.00
Paid by & refunded to: Hawkeye Development Company
1862 Oak Tree Road
Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.184-032013

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE HVAC MAINTENANCE-
MUNICIPAL BUILDINGS CONTRACT WITH CONTROL TEMP, INC. IN AN
AMOUNT NOT TO EXCEED \$35,000.00**

WHEREAS, CONTROL TEMP, INC., 653 New Brunswick Ave., Perth Amboy, NJ 08861 was awarded Contract No. 12-07-13, HVAC MAINTENACE-MNICIPAL BUILDINGS on August 22, 2012 through Resolution R.518-082012 for a one year period effective September 26, 2012 in the amount of \$58,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract; and

WHEREAS, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Township recommends that this contract in the amount not to exceed \$35,000.00 be renewed on a month to month basis expiring September 26, 2013 with the price as well as all terms and conditions to remain the same; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, 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 the Mayor, or her designee, is hereby authorized to extend the contract with CONTROL TEMP, INC. for an additional \$35,000.00 as described herein.

RESOLUTUION R.185-032013

**RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO
WINNER FORD FOR THE PURCHASE OF TWO (2) 2013 FORD F350 XL SUPERDUTY REGULAR
CAB TRUCKS AND TWO (2) 2013 FORD F350 XL SUPERDUTY SUPER CAB TRUCKS**

WHEREAS, bids were advertised on February 2, 2013 by the Township of Edison for Public Bid No. 13-01-31-2013 Ford F350 SuperDuty Trucks for a bid opening date of February 15, 2013 and no bids were received; and

WHEREAS, bids were re-advertised on February 22, 2013 for Public Bid No. 13-01-31R with a bid opening date of March 8, 2013 and one bid was received; and

WHEREAS, WINNER FORD, 250 Berlin Rd., Cherry Hill, NJ 08034 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$114,248.00; the 2013 Ford F350 XL SuperDuty Regular Cab is \$24,667.00 each for a total of \$49,334.00 and the 2013 Ford F350 XL SuperDuty Super Cab is \$27,337.00 each for a total of \$54,674.00, plus \$2,560.00 (two year extended warranty) on each vehicle for a total of \$10,240.00; and

WHEREAS, funds in the amount of \$114,248.00 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, as follows:

1. The sole bid has been reviewed, and the bid submitted by WINNER FORD, 250 Berlin Rd., Cherry Hill, NJ 08034 for two (2) 2013 Ford F350 XL SuperDuty Regular Cab Trucks and two (2) 2013 Ford F350 XL SuperDuty Super Cab Trucks 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 \$114,248.00, and any other necessary documents, with WINNER FORD as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$114,248.00** are available for the above contract in Account No. **C-04-12-1817-370-001**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTUION R.186-032013

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SAI RAAVI FOR THE ABC PROGRAM**

WHEREAS Sai Raavi made an overpayment in the amount of \$320.00 for his children, Rohan Raavi and Nikhita Gurukula's participation in the afternoon ABC Program at John Marshall Elementary School; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$320.00 to Sai Raavi, 2314 Strawberry Ct., Edison, NJ 08817, which amount represents the monthly fees for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$320.00 are available in Account #3-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTUION R.187-032013

RESOLUTION AUTHORIZING THE PURCHASE OF TRIP TICKETS ON CONSIGNMENT FROM NEW JERSEY RECREATION AND PARKS ASSOCIATION, INC.

WHEREAS, Edison Township Department of Recreation is desirous of acquiring discounted tickets, on consignment, for their 2013 summer playground programs; and

WHEREAS, The Recreation Department will be sponsoring these trips to the following places: Hurricane Harbor, Philadelphia Zoo, Hershey Park, Wildwater Park and Wildwood Amusements for a total ticket price not to exceed \$11,985.00; and

WHEREAS, New Jersey Recreation and Park Association offers discounted tickets as well as the ability to return unused tickets; and

WHEREAS, no other company offers this type of discount or return policy; and

WHEREAS, it has been recommended by the Director of Recreation that this contract/purchase order be awarded to New Jersey Recreation and Park Association, 13 April Lane, Somerset, NJ 08873; and

WHEREAS, the maximum amount for this purchase shall not exceed \$11,985.00 for summer playground programs for the months of July and August; and

WHEREAS, funds for this purpose are available for the above purchase in the Recreation Supplies Account, No. 3-01-28-0370-000-066.

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 purchase tickets from New Jersey Recreation and Park Association, Inc., in an amount not to exceed \$11,985.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,985.00** are available for the above purchase in Account No. **3-01-28-0370-000-066**.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTUION R.188-032013

RESOLUTION AWARING CONTRACT TO UNITED TELEPHONE COMPANY OF NJ D/B/A CENTURYLINK, LLC. FOR THE FURNISHING OF MAINTENANCE FOR EMERGENCY RADIO/TELEPHONE SYSTEMS (9-1-1, DISPATCH, ETC.) FOR THE DIVISION OF POLICE

WHEREAS, there is a need to procure the annual maintenance for the software and hardware for the Emergency Telephone Systems (9-1-1 Center, Communications, etc.) for the Division of Police, for the period of April 1, 2013 thru March 31, 2014; and

WHEREAS, UNITED TELEPHONE COMPANY OF NJ D/B/A CENTURYLINK, LLC., P.O. Box 96064, Charlotte, NC 28296-0064, has been awarded State Contract Number 69907 under T-1044/Emergency Radio/Telephone Systems (9-1-1, Dispatch, etc.) including Accessories which covers this maintenance; and

WHEREAS, funds in the amount of \$50,200.00 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, Number 3-01-25-0250-000-026; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$50,200.00 and any other necessary documents, with UNITED TELEPHONE COMPANY OF NJ D/B/A CENTURYLINK, P.O. Box 96064, Charlotte, NC 28296-0064 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. 69907 under T-1044.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$50,200.00** are available for the above contract in Account No. **3-01-25-0250-000-026**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTUION R.189-032013

EXPLANATION: A Resolution appointing Lina Vallejo as Tax Collector for the Township of Edison.

WHEREAS, there exists a need for a Tax Collector for the Township of Edison; and

WHEREAS, Lina Vallejo has been an employee in the Township's Tax Office for a number of years and presently serves as the Assistant Tax Collector; and

WHEREAS, Lina Vallejo has obtained her Tax Collector Certification as required by N.J.S.A. 40A:9-145.2 and N.J.A.C. 5:33-2.1 et seq.; and

WHEREAS, Mayor Antonia Ricigliano now submits the appointment of Lina Vallejo as Tax Collector for the Township of Edison at a starting salary of \$82,500.00 pursuant to N.J.S.A. 40A:9-141 et seq. and Township Code Section 2-45.2.

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:

1. Lina Vallejo of South Plainfield, New Jersey is appointed as Tax Collector for the Township of Edison pursuant to N.J.S.A. 40A:9-141 et seq. and Township Code Section 2-45.2.

2. The appointment of Lina Vallejo as Tax Collector for the Township of Edison shall be effective as of the date of this Resolution with her four (4) year term commencing on January 1, 2014 through December 31, 2017 as required by N.J.S.A. 40A:9-142.

3. The starting salary of Lina Vallejo as Tax Collector for the Township of Edison shall be \$82,500.00.

RESOLUTUION R.190-032013

RESOLUTION SUPPORTING LOCAL DEMONSTRATION PROJECT PROGRAM APPLICATION TO TOGETHER NORTH JERSEY BY THE EDISON GREENWAYS GROUP AND BOROUGH OF METUCHEN

WHEREAS, the Middlesex Greenway runs through Edison, from Crows Mill Road in Woodbridge to Middlesex Avenue in Metuchen; and

WHEREAS, the Middlesex Greenway from Dudash Park to Pierson Ave. has been designated by the NJDOT as part of the East Coast Greenway, which runs from Maine to Florida, and links communities along the route; and

WHEREAS, there are future plans to extend the Middlesex Greenway to the Dismal Swamp in Edison and Metuchen, aiding in the development of "green" tourism in this area, which will also help support local businesses; and

WHEREAS, the Greenway runs though Edison's historic Clara Barton downtown section, which includes shopping and the Edison Farmers market, used by many walkers, joggers, and bikers seeking both recreational opportunities and safe pedestrian access to and from points in Edison and Metuchen; and

WHEREAS, the Greenway is a viable transportation alternative, a unique educational resource and a living classroom; and

WHEREAS, the Township of Edison has long-standing successful partnerships with the Edison Greenways Group on developing and preserving the Greenway; and

WHEREAS, the Edison Greenways Group is collaborating with the Borough of Metuchen on a grant application to Together North Jersey (TNJ) for a Local Demonstration Project Program (LDPP) addressing how local governments and non-governmental agencies can work together to address key sustainability issues in an array of policy areas such as, Land Use and Urban Design, Transportation, Natural Systems, Asset-Based Economic Development, Business Environment and Entrepreneurial Support, Health and Safety, Education, and Arts and Culture; and

WHEREAS, the grant application is for technical assistance in an amount up to \$90,000 to address continued planning and implementation of the next phase of issues related to the Greenway;

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Edison, New Jersey, that the Together New Jersey grant application has the support of the Council.

The following Resolutions will be voted upon separately:

RESOLUTION R.156-032013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 21, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 21, 2013

FUND	AMOUNT
Current	\$23,230,829.22
Affordable Housing	6,064.80
Capital	9,031.76
Cash Performance	0.00
CDBG	115,020.87
Developers Escrow	50,631.03
Dog (Animal Control)	12,276.49
Federal Forfeited	0.00
Grant Funds	22,347.56
Law Enforcement	0.00
Park Improvement	0.00
Payroll Deductions	458,138.50
Sanitation Fund	220,028.33
Sewer Utility	47,100.57
Tax Sale Redemption	32,993.60
Tree Fund	0.00
Tree Planting	0.00
Trust	82,576.27
TOTAL	\$24,287,039.00

/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 Lombardi, seconded by Councilmember Karabinchak to adopt this Resolution.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, and Council President Diehl
NAYS – None
Councilmember Lankey abstained from voting.
Councilmember Prasad was absent.

The following Resolutions will be voted upon separately:

RESOLUTION R.191-032013

EXPLANATION: This Resolution authorizes a conflict Tax Assessor and Attorney for tax appeals for 84 Webb Street, Block 407, Lot 14 and 2300 Woodbridge Avenue, Block 371, Lot 20.

WHEREAS, there exists a need for a conflict Tax Assessor and Attorney for tax appeals for 84 Webb Street, Block 407, Lot 14 and 2300 Woodbridge Avenue, Block 371, Lot 20; and

WHEREAS, the 2012 tax appeals are presently before the New Jersey Tax Court with the appeal for 84 Webb Street, Block 407, Lot 14 under Docket No.: 013967-2012 and the appeal for 2300 Woodbridge Avenue, Block 371, Lot 20 under Docket No.: 01364-2012; and

WHEREAS, to date only the 2013 tax appeal 84 Webb Street, Block 407, Lot 14 has been filed with the Middlesex County Board of Appeals; and

WHEREAS, Frank Colon, the Tax Assessor for East Brunswick, and David P. Lonski, Esq. both of whom are experienced and knowledgeable in this area have agreed to represent the interests of Edison Township in regard to this conflict matter before the New Jersey Tax Court; and

WHEREAS, the Township of Edison wishes to authorize Frank Colon, the Tax Assessor for East Brunswick, and David P. Lonski, Esq. to represent the Township of Edison in the 2012 and 2013 matters and any appeals that arise from these matters; and

WHEREAS, a professional services agreement for David P. Lonski, Esq. is attached hereto.

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:

1. Tax Assessor Frank Colon and David P. Lonski, Esq. are hereby authorized to represent the interest of Edison Township before the Middlesex County Board of Appeals, the New Jersey Tax Court and any appeals that may arise from these matters in regard to the tax appeals for 84 Webb Street, Block 407, Lot 14, and 2300 Woodbridge Avenue, Block 371, Lot 20.
2. The attached professional services agreement for David P. Lonski, Esq. is hereby approved and the Mayor and other necessary Township staff are hereby authorized to execute and deliver said agreement and all other necessary documents and undertake all actions reasonably necessary to effectuate the agreement and the intent of this Resolution.
3. The amount of the professional services agreement for David P. Lonski, Esq. shall not exceed \$5,000.00 without prior approval of the Township Council.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2013 calendar year, funds in the amount of \$5,000.00 are available in Account No.3-01-20-0155-001-027.

/s/ Janice Saponaro
Chief Financial Officer

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

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

NAYS - None

Councilmember Karabinchak abstained from voting.

Councilmember Prasad was absent.

COMMUNICATIONS

NONE

ORAL PETITIONS AND REMARKS

Council President Diehl opened the meeting for public comment.

Jeff Captain, 5 Harrigan Street, said currently Edison has no Ordinance in place that provides checks and balances to hold contractors accountable for their actions. He spoke about a personal experience he had regarding having a second kitchen built for his elderly father in order to improve his quality of life. He said his father was taken advantage of by the contractor and the Township had no ability or authority to intervene. He requested that the Council do an Ordinance to protect our citizens.

Councilmember Karabinchak said this is happening all over the state of New Jersey and we have nothing in place to stop it. He felt we should have a procedure in place locally and he asked Mr. Kemm to draft an ordinance.

Walter Stochel, 2118 Oak Tree Road, said currently the homeowner has no protection. He felt we should use the \$200 fee that is paid to Edison to investigate the contractor when there is a compliant.

Councilmember Karabinchak said a complaint must be filed with the State.

Mr. Stochel said he is in support of the Open Space purchase on Ordinance O.1829-2013. He felt we should also look into getting money from Green Acres. He said he is surprised to see we have certified that there is \$30,000 available for Open Space. In 2009 we were told by our Auditor that there was no money left in the Open Space Trust Fund.

Council President Diehl asked Ms. Ruane how much money is in the Open Space Trust Fund.

Ms. Ruane said she will get that information.

Jim Kelly, Route 27, thanked the Department of Public Works for the clean up at Edison High School. He said he recently came to Town Hall to report a dangerous condition and he wandered around for fifteen minutes before he could find someone to report it to. He felt we should have an information desk to help people maneuver around the Police/Court side of the building.

Council President Diehl asked Captain Anderko to look into this as he himself recently had a similar experience.

Captain Anderko said that portion of the building is currently under renovation but he will check the signage.

Bruce Diamond, Calvert Avenue, said as of yet he has received no answer to his question regarding how many tax appeals we currently have outstanding.

Ms. Ruane said as of today we have 295 commercial appeals and 220 residential appeals. The deadline for filing is April 1st.

Mr. Diamond questioned the ages of the houses that are filing appeals. He asked if they are new homes or homes that are thirty to forty years old.

Walt Shneer, Park Way, asked who is responsible for maintaining the road behind the White Church on Woodbridge Avenue and can it be paved as it is in bad repair.

Mr. Roderman said we don't have a repaving plan for that road but he will keep an eye on it. He also said there are wood chips at that location that are free to the residents.

Mr. Shneer again asked about the old Ford Plant Site and why nothing has been built there yet.

Council President Diehl reiterated that it is due to the economy.

Councilmember Karabinchak said until the owners have a 70% occupancy rate they will not build.

Tom Goeckel, Saffran Avenue, asked when we will be receiving the new blue recycling containers.

Mr. Roderman said this is a phase in program that has been started in two sections of the Township. The next phase will be sometime in the spring and it may take up to two years to complete the entire Township.

Charlie Tomaro, Waverly Drive East, thanked Councilmember Karabinchak and the Administration for moving Ordinance O.1829-2013 forward. He also commented that in the State of New Jersey the requirements for obtaining a contractor's license are a joke. He suggested that we keep a list of contractors that our residents have complaints on.

Mr. Medina said if we don't get feedback all we have is a list.

Fred Wolke, 10 Peake Road, reported that on March 21st the school budget for 2013-2014 was introduced and only 17 residents were in attendance. He reported that teachers are receiving a 2.5% increase so make sure you vote in the school board election on April 16th and vote "no" on the budget.

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 Lombardi, seconded by Councilmember Karabinchak, the meeting was adjourned at 8:10 p.m.

Robert Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk