

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

May 8, 2013

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, May 8, 2013. The meeting was called to order at 7:10 p.m. by Council Vice President Lombardi, followed by the Pledge of Allegiance.

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

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

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on 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 Karabinchak, seconded by Councilmember Prasad, and duly carried, the Minutes of the Regular Meeting of March 13, 2013 and March 27, 2013 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Diehl was absent.

CY 2013 SOLID WASTE COLLECTION DISTRICT BUDGET:

Council Vice President Lombardi opened the hearing for public comments on the CY 2013 Solid Waste Collection District Budget.

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

Councilmember Karabinchak made a motion to adopt the CY 2013 Solid Waste Collection District Budget. This motion was seconded by Councilmember Mascola.

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

NAYS - None
Councilmember Lankey and Council President Diehl were absent.

2013 CALENDAR YEAR MUNICIPAL BUDGET:

				TOWNSHIP OF EDISON	
				<u>MIDDLESEX COUNTY, NEW JERSEY</u>	
				<u>RESOLUTION TO AMEND BUDGET</u>	
WHEREAS, the local municipal budget for the year 2013 was approved on the					
13th day of March, 2013, and;					
WHEREAS, the public hearing on said budget					
has been held as advertised, and;					
WHEREAS, it is desired to amend said approved budget;					
NOW THEREFORE BE IT RESOLVED, by the Township Council of the					
Township of Edison, County of Middlesex, that the following amendments					
to the approved budget of 2013 be made:					
				<u>Ayes</u>	<u>Nays</u>
				<u>Abstained</u>	
				Diehl	(

Recorded Vote		Gomez	((
(Insert last names)		Karabinchak	(
		Lankey		<u>Absent</u>
		Lombardi		(
		Mascola		(
		Dr. Prasad		
<u>CURRENT FUND - ANTICIPATED REVENUES</u>				
			<u>From</u>	<u>To</u>
1. Surplus Anticipated			7,916,158.00	7,124,500.00
3. Miscellaneous Revenues - Section A: Local Revenues				
Reserve for Payment of Debt Service			1,350,000.00	0.00
General Capital Fund Balance			1,100,000.00	0.00
FEMA 75% Reimbursement for Hurricane Sandy			1,003,447.00	0.00
Total Section A: Local Revenues			<u>9,888,737.67</u>	<u>6,435,290.67</u>
3. Miscellaneous Revenues - Section D: Special				
Items Offset with Appropriations				
EMS Ambulance Billings			1,186,202.00	0.00
Total Section D: Special Items				
Offset with Appropriations			1,186,202.00	0.00
3. Miscellaneous Revenues - Section E: Special				
Items Offset with Appropriations				
EMS Ambulance Billings			0.00	1,186,202.00
Total Section E: Special Items				
Offset with Appropriations			0.00	1,186,202.00
3. Miscellaneous Revenues - Section F: Special				
Items Offset with Appropriations				
Public and Private Revenues				
Middlesex County Cultural & Heritage Commission			2,850.00	750.00
NJ Dept. of Health-Hepatitis Grant			0.00	5,000.00
Total Section F: Special Items Offset with				
Appropriations-Public & Private Revenue			<u>365,801.00</u>	<u>368,701.00</u>
3. Miscellaneous Revenues - Section G:				
Other Special Items				
Reserve for Green Acres Debt			0.00	377,742.07
Reserve for Payment of Debt Service			0.00	2,089,617.00
General Capital Fund Balance			0.00	1,446,994.58
FEMA 75% Reimbursement for Hurricane Sandy			0.00	502,080.73
Total Section G: Other Special Items			2,480,153.39	6,896,587.77
Total Miscellaneous Revenues			<u>31,994,135.06</u>	<u>32,960,022.44</u>
5. Subtotal General Revenues			<u>40,017,995.06</u>	<u>40,192,224.44</u>
7. Total General Revenues			<u>118,179,391.4</u>	<u>118,353,620.8</u>
			<u>4</u>	<u>2</u>
<u>CURRENT FUND APPROPRIATIONS</u>				
(A) Operations - within "CAPS"				
Department of Finance				
Other Expenses			606,025.00	652,257.00
Other Expenses-Audit			118,320.00	72,088.00
Total Operations {Item 8(A)} within "CAPS"			<u>88,429,717.19</u>	<u>88,429,717.19</u>
Total Operations Including Contingent				
within "CAPS"			<u>88,479,717.19</u>	<u>88,479,717.19</u>
(E) Deferred Charges and Statutory Expenditures				
Municipal - Within "CAPS"				
Prior Year Bills:				
2009 Legal Other Expenses			0.00	87,837.38

	2010 Legal Other Expenses	0.00	1,375.00
Total Deferred Charges and Statutory			
	Expenditures-Municipal Within "CAPS"	12,074,900.91	12,164,113.29
(H-1) Total General Appropriations for Municipal			
	Purposes within "CAPS"	100,554,618.10	100,643,830.48
(A) Operations - Excluded from "CAPS"			
Public and Private Programs Offset by Revenue			
	Middlesex County Art Grant	2,850.00	0.00
	Middlesex County Cultural & Heritage Commission	2,500.00	750.00
	MCIA Recycling Grant	0.00	89,617.00
Total Public and Private Programs Offset by Revenues			
		304,700.77	389,717.77
Total Operations Excluded from "CAPS"			
		6,060,519.77	6,145,536.77
(H-2) Total General Appropriations for Municipal			
	Purposes Excluded from "CAPS"	15,623,127.77	15,708,144.77
(O) Total General Appropriations-Excluded from "CAPS"			
		15,623,127.77	15,708,144.77
(L) Subtotal General Appropriations {Items (H-1) and (O)}			
		116,177,745.87	116,351,975.25
(M) Reserve for Uncollected Taxes			
9. Total General Appropriations			
		118,179,391.44	118,353,620.82
DEDICATED SEWER UTILITY BUDGET			
		<u>From</u>	<u>To</u>
Appropriations:			
	Other Expenses	3,455,181.30	3,405,181.30
	MCUA Charges	8,100,000.00	8,150,000.00
	Total Appropriations	<u>14,115,177.00</u>	<u>14,115,177.00</u>
BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution			
be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2013 local municipal			
budget so amended.			
BE IT FURTHER RESOLVED, that this complete amendment, in accordance			
with the provisions of N.J.S. 40A: 4-9, be published in The Home News Tribune in the issue of Saturday, May 11, 2013 and that said publication			
of public hearing on said amendment to be held at 100 Municipal Blvd. on			
Wednesday, May 22, 2013, at 7:00 o'clock p.m.			

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez to introduce the above amendment.

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

NAYS - None

Councilmember Lankey and Council President Diehl were absent.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

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

O.1832-2013 **AN ORDINANCE AUTHORIZING ACQUISITION, NEGOTIATION AND IF REQUIRED CONDEMNATION OF INTERESTS IN PROPERTY ON BLOCK 415, LOT 28-C, LOT 28-D AND LOT 30, BEING 2192 OAK TREE ROAD AND BLOCK 555, LOT 2A, BEING 2177 OAK TREE ROAD, WHICH ARE REQUIRED FOR THE SIGNALIZED INTERSECTION IMPROVEMENTS AT OAK TREE ROAD AND WOODLAND AVENUE.**

Council Vice President Lombardi declared the Public Hearing opened for O.1832-2013

Esther Nemitz, 162B Fay Street, asked what the next steps are.

Mr. Kemm explained the procedures that have to take place before the actual light is installed.

Councilmember Karabinchak asked that we get in touch with the County to move this along ASAP.

Mr. Medina explained that this Ordinance authorizes us to purchase the property. He said hopefully by the end of the year the light will be installed.

Ms. Nemitz asked who installs the traffic signal.

Mr. Medina said the County will be installing it.

Charles Burton, Edison resident, commended Councilmember Karabinchak for moving this forward. He said it is a common sense solution for a light to be installed at this location.

(The above Ordinance O.1832-2013 can be found in its entirety in Ordinance Book # 26.)

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

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

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

NAYS - None
Councilmember Lankey and Council President Diehl were absent.

NEW BUSINESS
PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 22, 2013.

The following Ordinances were introduced by title:

O.1833-2013 **AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A LEASE AGREEMENT WITH THE EDISON WETLANDS ASSOCIATION, INC. FOR USE OF PORTIONS OF CERTAIN DPW YARDS FOR CLOTHING AND TEXTILE RECYCLING BINS.**

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 May 22, 2013.

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

NAYS - None
Councilmember Lankey and Council President Diehl were absent.

O.1834-2013

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A LEASE AGREEMENT WITH THE EDISON WETLANDS ASSOCIATION, INC. FOR THE USE OF BLOCK 594-B, LOT 1 OWNED BY THE TOWNSHIP.

On a motion made by Councilmember Mascola, seconded by Councilmember Prasad, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 22, 2013.

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

NAYS - None

Councilmember Lankey and Council President Diehl were absent.

O.1835-2013

AN ORDINANCE REVISING THE PROVISIONS OF THE MUNICIPAL OPEN SPACE PRESERVATION TRUST FUND TO REQUIRE THE PAYMENT OF DEBT SERVICE BEFORE TRUST FUND MONIES CAN BE EXPENDED FOR ACQUISITION.

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 May 22, 2013.

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

NAYS - None

Councilmember Lankey and Council President Diehl were absent.

O.1836-2013

AN ORDINANCE REVISING THE TOWNSHIP CODE SECTION REGARDING THE LICENSING AND OPERATIONS OF TAXICABS. (TABLED AT MEETING)

On a motion made by Councilmember Karabinchak, seconded by Councilmember Prasad, this Ordinance was tabled at the meeting.

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

NAYS - None

Councilmember Lankey and Council President Diehl were absent.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council Vice President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.233-052013 through R.260-052013.

Esther Nemitz, 162B Fay Street, spoke on Resolutions R.245-052013 and R.246-052013. She asked for an explanation as to why these two Resolutions are separated.

Mr. Kemm explained that there will be a total of 120 units in two phases of 60 units each. The Resolutions state that Edison is in favor of them going forward with the financing.

Jane Tousman, 14 Butler Road, asked if there will be two separate developer's agreements.

Mr. Kemm said "no".

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 Gomez requested that Resolution R.233-052013 be pulled for separate vote.

Councilmember Dr. Prasad requested that Resolution R.235-052013 be pulled for separate vote.

Councilmember Gomez and Council Vice President Lombardi requested that Resolution R.241-052013 through R.243-052013 be pulled for separate vote.

The following Resolutions R.234-052013 and R.236-052013 through R.240-0520163 and R.244-052013 through R.260-0520163 were adopted under the Consent Agenda on a motion made by Councilmember Prasad and seconded by Councilmember Gomez.

RESOLUTION R.234-052013

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 \$106,788.96.

RESOLUTION R.236-052013

**Authorizing Overpayment Refund caused
by Successful Tax Court Appeal with Freeze Act provision**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.470-072012**:

TAXPAYER	NAKHRE, PUSHKAR
PROPERTY LOCATION	971 Grove Avenue
BLOCK / LOT / QUALIFIER	427 / 59
DOCKET NUMBER:	012354-2011
TAX YEAR	2011

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): **2012**.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$1,277.18** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,277.18**.

RESOLUTION R.237-052013

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council's resolution **R.466-072012**:

TAXPAYER	JESDANUN, ADISAK
PROPERTY LOCATION	6 WOODRUFF RD
BLOCK / LOT / QUALIFIER	558 / 57
DOCKET NUMBER:	012444-2011
TAX YEAR	2011

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): **2012**.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$1,381.35** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,381.35**.

RESOLUTION R.238-052013

Authorizing a tax exemption/refund for a disabled veteran for 68 MELBOURNE ST

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, FRANK RICE is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to **January 1st 2012**; and

WHEREAS, real estate taxes on this property known as Block **357 Lot 21.A, 68 MELBOURNE ST**, have been billed for **2012** and preliminary **2013**; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

WHEREAS, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **January 1st 2012 to May 1st 2013**; and

NOW, THEREFOR, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block **357 Lot 21.A**, assessed to **FRANK RICE**, be cancelled for the **all** quarters of **2012**, and 1st and 2nd quarter of **2013** and also refunded for the municipal property taxes already paid for the time period of **January 1st 2013 thru May 1st 2013** in the amount of **\$1,774.84** and for the property taxes paid in prior year from **January 1st 2012 to December 31st 2012** in the amount of **\$7,065.76**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of **FRANK RICE** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$8,840.60**.

CERTIFICATION OF FUNDS

I hereby certify that funds in the amount of **\$8,840.60** are available in Account No. 3-01-55-0205-000-001.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.239-052013

Authorizing a tax exemption/refund for a disabled veteran for 53 HILLSDALE RD

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, JOHN WELGOS is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to **January 1, 2012**; and

WHEREAS, real estate taxes on this property known as Block **556.J Lot 19, 53 HILLSDALE RD**, have been billed for **2012**, and preliminary **2013**; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

WHEREAS, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **January 1st, 2012 to December 31st, 2012**; and

NOW, THEREFOR, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block **556.J Lot 19**, assessed to **JOHN WELGOS**, be cancelled for the all quarters of **2012**, and for 1st and 2nd quarters of **2013** and also refunded for the municipal property taxes already paid for the time period of **January 1st, 2012 thru December 31st, 2012** in the amount of **\$14,830.78**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of **JOHN WELGOS** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$14,830.78**.

CERTIFICATION OF FUNDS

I hereby certify that funds in the amount of **\$14,830.78** are available in Account No. 3-01-55-0205-000-001.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.240-052013

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2013

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-20), directs that the Governing Body of a municipality may adopt an Emergency Temporary Resolution after the adoption of Temporary Appropriations but before the adoption of the annual budget to authorize additional appropriations; and

WHEREAS, the initial temporary appropriations were adopted on December 26, 2012 and ;

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

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

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$172,500.00as follows:

FIRE	3-01-28-0265-001-016	S&W	\$ 85,000.00
ENGINEERING	3-01-20-0165-000-016	S&W	\$ 25,000.00
ASSESSORS	3-01-20-0150-000-016	S&W	\$ 10,000.00
FINANCE	3-01-20-0130-001-016	S&W	\$ 5,000.00
ACCOUNTS AND CONT	3-01-20-0130-002-016	S&W	\$ 5,000.00
LEGAL	3-01-20-0155-001-011	S&W	\$ 4,000.00
LEGAL	3-01-20-0155-001-020	S&W	\$ 10,000.00
PERSONNEL	3-01-20-0105-000-011	S&W	\$ 10,000.00
COMMUNICATION	3-01-20-0100-006-011	S&W	\$ 8,000.00
COUNCIL	3-01-20-0110-001-011	S&W	\$ 3,000.00
MAYOR	3-01-20-0110-002-011	S&W	\$ 1,500.00
PLANNING	3-01-21-0180-001-028	S&W	\$ 6,000.00

RESOLUTION R.244-052013

EXPLANATION: A Resolution appointing Suzanne Cason-O'Neill to the Edison Township Library Board of Trustees.

WHEREAS, Mayor Ricigliano by letter of April 29, 2013 has nominated Suzanne Cason-O'Neill 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 appointment.

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. Suzanne Cason-O'Neill is hereby appointed 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.

RESOLUTION R.245-052013

**RESOLUTION OF NEED FROM THE TOWNSHIP OF EDISON
KILMER HOMES URBAN RENEWAL I, LP
KILMER HOMES I HOUSING DEVELOPMENT**

WHEREAS, Kilmer Homes Urban Renewal I, LP (hereinafter referred to as the “Sponsor”) proposes to construct 60 units of affordable housing for families with low incomes (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Edison (hereinafter referred to as the “Municipality”) on a site described as Block 3-E, Lot 3.015 as shown on the Official Assessment Map of the Township of Edison, Middlesex County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison (the “Council”) that:

- (1) The Council finds and determines that Kilmer Homes I Housing Development, the 60-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council finds and determines that Kilmer Homes I Housing Development, the 60-unit family housing Project proposed by the Sponsor, meets all or part of the municipality's low and moderate income housing obligation;
- (3) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

RESOLUTION R.246-052013

**RESOLUTION OF NEED FROM THE TOWNSHIP OF EDISON
KILMER HOMES URBAN RENEWAL II, LP
KILMER HOMES II HOUSING DEVELOPMENT**

WHEREAS, Kilmer Homes Urban Renewal II, LP (hereinafter referred to as the “Sponsor”) proposes to construct 60 units of affordable housing for families with low incomes (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Edison (hereinafter referred to as the “Municipality”) on a site described as Block 3-E, Lot 3.016 as shown on the Official Assessment Map of the Township of Edison, Middlesex County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will or may be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison (the “Council”) that:

- (1) The Council finds and determines that Kilmer Homes II Housing Development, the 60-unit family housing Project proposed by the Sponsor meets or will meet an existing housing need;

- (2) The Council finds and determines that Kilmer Homes II Housing Development, the 60-unit family housing Project proposed by the Sponsor, meets all or part of the municipality's low and moderate income housing obligation;
- (3) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

RESOLUTION R.247-052013

RESOLUTION AUTHORIZING PAYMENT OF \$28,993.54 TO LIBRARIES OF MIDDLESEX FOR ASSESSMENT FOR THE TOWNSHIP LIBRARIES FOR THE PERIOD OF APRIL 1, 2013 – JUNE 30, 2013

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

WHEREAS, funds in the amount of \$13,747.08 have been certified to be available in the Free Public Library other Professional Services Account, Number 3-01-29-0390-000-028 and funds in the amount of \$15,246.46 have been certified to be available in the Reserve State Library Aid Account, Number T-01-55-0276-000-000.

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

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$13,747.08** are available for the above in Account No. **3-01-29-0390-000-028** and **\$15,246.46** is available in Account No. **T-01-55-0276-000-000**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.248-052013

RESOLUTION AUTHORIZING PAYMENT OF \$8,880.00 TO R.R. BOWKER, LLC FOR ELECTRONIC FORMAT SUBSCRIPTION RENEWAL (BOOKS IN PRINT) FOR THE TOWNSHIP LIBRARIES

WHEREAS, The Edison Township Library Board of Trustees has authorized payment for Subscription Renewal (Books in Print) from September 1, 2013 through August 31, 2014; and

WHEREAS, funds in the amount of \$8,880.00 have been certified to be available in the Free Public Library Books & Publications Account, Number 3-01-29-0390-000-033.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to R.R. BOWKER, LLC, 16848 Collections Center Dr., Chicago, IL 60693-0168 in the amount of \$8,880.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$8,880.00** are available for the above in Account No. **3-01-29-0390-000-033**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.249-052013

EXPLANATION: This resolution provides for the refund of the unused portion of Developer Escrow Fees posted by NHCA Homes for Planning Board Application No. P-5146.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by NHCA Homes for a project located at 9 Campbell Avenue, NJ 08817, in Block 81 and Lots 39, 40, and 41, and under Application No. P-5146; and

WHEREAS, the applicant was required to post Developer's Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, on December 3, 2012, NHCA Homes posted fees on deposit with the Township of Edison in account # 7760296212 for Developers Escrow Fees; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees posted, as provided by law; and

WHEREAS, it is now in order that the sum \$581.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to NHCA Homes;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$581.25 plus accrued interest, if applicable, be refunded to NCHA Homes, 11 Drinking Brook Road, Monmouth Junction, NJ 08852;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized and directed to refund the sum of \$581.25 plus accrued interest, if applicable, held in account #7760296212 to the applicant.

RESOLUTION R.250-052013

EXPLANATION: This resolution provides for the refund of the unused portion of Developer Escrow Fees posted by Ultimate Collision for Zoning Board Application No. Z 05-2012.

WHEREAS, The Township Planning Board Secretary advises that Developer Escrow Fees were posted by Ultimate Collision, for a project located at 1115 U.S Highway 1 South, Edison, NJ, in Block 201 and Lot 17, and under Application No. Z 05-2012; and

WHEREAS, the applicant was required to post Developer's Escrow Fees, pursuant to Township Ordinance; and

WHEREAS, on February 24, 2012, Ultimate Collision posted fees on deposit with the Township of Edison in the account # 7760296174 for Developers Escrow Fees; and

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees posted, as provided by law; and

WHEREAS, it is now in order that the sum of \$289.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Ultimate Collision;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$289.00 plus accrued interest, if applicable, be refunded to Ultimate Collision, 1115 US Highway 1 South, Edison, NJ 08837;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized and directed to refund the sum of \$289.00 plus accrued interest, if applicable, held in account #7760296174 to the applicant.

RESOLUTION R.251-052013

EXPLANATION: This resolution provides for refund of construction permit fee, less the DCA fee, posted for a residential construction permit where inspection services were not performed.

WHEREAS, on January 7, 2013, a Construction (Building) Permit fee, check #9801, permit #2013-0113, was posted in the total amount of \$207.00 by the contractor, A.J. Perri, Inc., having offices at 1138 Pine Brook Road, Tinton Falls, NJ 07724; and

WHEREAS, the application was submitted to replace boiler and chimney liner at 5 Bonn Court for the homeowner; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled; and

WHEREAS, it is therefore appropriate that the municipal permit fee in the amount of \$185.00, derived from the \$207.00 total construction permit fee less the \$22.00 DCA fee for permit #2013-0113, be refunded to the contractor, A.J. Perri, Inc.; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2013-0113, in the amount of \$185.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$185.00 on construction permit fees posted by A.J. Perri, Inc. for 5 Bonn Court be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$185.00 from the Refund of Revenue Fund to the contractor, A.J. Perri, Inc., 1138 Pine Brook Road, Tinton Falls, NJ 07724.

RESOLUTION R.252-052013

EXPLANATION: Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase I.

WHEREAS, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase I improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, a Cash Performance Bond Check #005738 was posted on March 23, 2009 by KIF Property Trust in the amount of \$102,600.09 on deposit in Account #7760013374; and

WHEREAS, a Cash Performance Bond Reduction was posted on July 1, 2010, Resolution #492-082010 reducing the Cash Performance Bond to \$30,780.02; and

WHEREAS, a Performance Bond # B0463470 of International Fidelity Insurance Company was posted on March 23, 2009 by KTR Edison, LLC in the amount of \$923,400.81; and

WHEREAS, a Performance Bond Reduction was posted on July 1, 2010, Resolution #492-082010 reducing the Performance Bond to \$277,020.24; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$30,780.02 plus accrued interest, if applicable, on deposit in account #7760013374 principal being KIF Property Trust, having offices at Five Tower Road, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$277,020.24; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$277,020.24, to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$30,780.02, plus accrued interest, if applicable, on deposit in account #7760013374 to the applicant.

RESOLUTION R.253-052013

EXPLANATION: Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase II.

WHEREAS, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase II improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, a Cash Performance Bond Check #007360 was posted on July 28, 2009 by KIF Property Trust in the amount of \$105,248.79 on deposit in Account #7760013390; and

WHEREAS, a Cash Performance Bond Reduction was posted on July 1, 2010, Resolution #491-082010 reducing the Cash Performance Bond to \$31,574.63; and

WHEREAS, a Performance Bond # B0463498 of International Fidelity Insurance Company was posted on July 28, 2009 by KTR Edison, LLC in the amount of \$947,239.11; and

WHEREAS, a Performance Bond Reduction was posted on July 1, 2010, Resolution #491-082010 reducing the Performance Bond to \$284,171.73; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$31,574.63 plus accrued interest, if applicable, on deposit in account #7760013390 principal being KIF Property Trust, having offices at Five Tower Road, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$284,171.73; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$284,171.73, to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$31,574.63, plus accrued interest, if applicable, on deposit in account #7760013390 to the applicant.

RESOLUTION R.254-052013

EXPLANATION: Resolution Releasing Balance of Performance Guarantee on Site Plan Improvements, under Application No. P01-08/09, KTR Edison LLC, Phase III.

WHEREAS, the Township Engineer advises that an inspection has been made of KTR Edison LLC located at 3003 Woodbridge Avenue, in Block no. 795, Lots 22B7, 22B8, and 22B9, under Application #P01-08/09, and said inspection indicates all Phase III improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, a Cash Performance Bond Check #007988 was posted on September 18, 2009 by KIF Property Trust in the amount of \$27,174.18 on deposit in Account #7760013392; and

WHEREAS, a Cash Performance Bond Reduction was posted on July 7, 2010, Resolution #412--072010 reducing the Cash Performance Bond to \$8,152.25; and

WHEREAS, a Performance Bond #B0513708 of International Fidelity Insurance Company was posted on September 18, 2009 by KTR Edison, LLC in the amount of \$244,567.62; and

WHEREAS, a Performance Bond Reduction was posted on July 7, 2010, Resolution #412-072010 reducing the Performance Bond to \$73,370.28; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$8,152.25 plus accrued interest, if applicable, on deposit in account #7760013392 principal being KIF Property Trust, having offices at Five Tower Bridge, 300 Barr Harbor Drive, Ste. 150, Conshohocken, Pa. 19428 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$73,370.28; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$73,370.28, to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$8,152.25, plus accrued interest, if applicable, on deposit in account #7760013392 to the applicant.

RESOLUTION R.255-052013

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HEWLETT PACKARD COMPANY FOR THE PURCHASE OF SEVEN COMPUTERS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need to purchase seven (7) computers for the Department of Public Works; and

WHEREAS, HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE 68154, has been awarded State Contract Number 70262 under M-0483/WSCA Computer Contract; and

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

WHEREAS, the total amount of the purchase shall not exceed \$5,096.00; and

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

- \$ 728.00 - Account No. 3-01-26-0310-000-058-Building & Grounds Other Equip. & Supplies
- \$ 1,456.00- Account No. 3-01-28-0375-000-026-Parks & Trees Maintenance of Other Equipment
- \$ 1,456.00 - Account No. 3-07-55-0501-000-058-Sewers Other Equipment & Supplies
- \$ 1,456.00 - Account No. 3-09-55-0800-001-212-Operating-New Equipment

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,096.00 and any other necessary documents, with HEWLETT PACKARD COMPANY, 10810 Farnam Drive, Omaha, NE 68154 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. 70262 under M-0483/WSCA.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$5,096.00 are available as follows:

\$ 728.00 - Account No. 3-01-26-0310-000-058
\$ 1,456.00- Account No. 3-01-28-0375-000-026
\$ 1,456.00 - Account No. 3-07-55-0501-000-058
\$ 1,456.00 - Account No. 3-09-55-0800-001-212

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.256-052013

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE EMERGENCY PUMP STATION REPAIRS CONTRACT WITH NORTHEAST FLUID POWER CO. II, INC. IN AN AMOUNT NOT TO EXCEED \$118,814.72

WHEREAS, NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081 was awarded Contract No. 13-01-05, EMERGENCY PUMP STATION REPAIRS on February 13, 2012 through Resolution R. 089-022013 effective February 26, 2013 in the amount of \$45,000.00; and

WHEREAS, the Township needs to rebuild four (4) JWC Model Channel Monsters over the course of 2013 at the price of \$29,703.68 each which was not included as part of the initial authorization amount; and

WHEREAS, the Township recommends authorization of the additional \$118,814.72 to this contract for a total contract amount of \$163,814.72; and

WHEREAS, the total amount of this additional amount, not to exceed \$118,814.72, 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 execute a contract in the additional amount not to exceed \$118,814.72, and any other necessary documents, with NORTHEAST FLUID POWER CO. II, INC. for a total contract amount of \$163,814.72 as described herein.

RESOLUTION R.257-052013

RESOLUTION AUTHORIZING A REIMBURSEMENT TO VINAYA KAMBLI FOR THE ABC PROGRAM

WHEREAS Vinaya Kambli made payment in the amount of \$260.00 for the month of May 2013 for her child, Aakash Kambli's participation in the afternoon ABC Program at James Madison Intermediate Elementary School; and

WHEREAS 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 Vinaya Kambli, 4005 Cricket Circle., Edison, NJ 08820, 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 #3-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.258-052013

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT BASKETBALL TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township’s Recreation leagues.

WHEREAS, the ordinance further states that a “Good Standing Refund” in the amount of \$100.00 shall be made payable to each team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$1,900.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

WHEREAS, the below listed adult basketball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>	<u>REFUND NAME</u>	<u>TEAM</u>
Chris Young	Phi Slamma Jamma	James Barnes	Big Shots
Mike Geist	R.O.C.	Michael Petz	The Under Dogs
Joseph Azydzik	Macnasties	Marc Rizzo	Run-N-Gunners
Joe Caiola	Main Event	Joseph Cohen	Knights
Randy Encarnacion	MT Ballers	Eileen Griffin	Knicks
Rodney Carter	Warriors	Abdul Tejan-Cole	Man Up
Christopher Johnson	Rock Boys	Khuynh Nguyen	Inman Barber Shop
Jared Nevens	Black Mambas	Albano Ferreira	Gumpers
Matthew LoPinto	Alcoballics	David Cousins	The Other Guys

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

CERTIFICATION

I hereby certify that funds in the amount of \$1,900.00 are available for the above teams in Account No.T-13-00-1000-000-048.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.259-052013

**RESOLUTION AUTHORIZING THE PURCHASE OF TICKETS FROM DORNEY PARK AND
WILDWATER KINGDOM**

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

WHEREAS, DORNEY PARK AND WILDWATER KINGDOM, 3830 Dorney Park Road, Allentown, PA 18104 offers discounted tickets and a buffet lunch; and

WHEREAS, the Township wishes to purchase these for a summer playground trip in July; and

WHEREAS, the maximum amount for this purchase shall not exceed \$5,952.75; and

WHEREAS, funds for this purpose are available for the above purchase in the Recreation-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 DORNEY PARK AND WILDWATER KINGDOM, in an amount not to exceed \$5,952.75.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,952.75** are available for the above purchase in Account No. **3-01-28-0370-000-066**.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.260-052013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department’s 9-1-1 Communications Center 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, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148, has submitted a proposal to provide such services for a one year term for the period of July 1, 2013 – June 30, 2014 at a cost of \$32,139.00; and

WHEREAS, Queues Enforth Development, 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 Queues Enforth Development, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$32,139.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 3-01-25-0250-000-026.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents in the amount of \$32,139.00, with QUEUES ENFORTH DEVELOPMENT, INC., 14 Summer Street, Malden, MA 02148 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$32,139.00** are available for the above contract in Account No. **3-01-25-0250-000-026**.

/s/ Janice Saponaro
Chief Financial Officer

The following Resolutions will be voted upon separately:

RESOLUTION R.233-052013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 2, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 2, 2013

FUND	AMOUNT
Current	\$12,909,868.60
Affordable Housing	3,985.82
Capital	21,949.22
Cash Performance	0.00
CDBG	63,303.81
Developers Escrow	6,624.00
Dog (Animal Control)	1,624.00
Federal Forfeited	4,414.95
Grant Funds	180,077.00
Law Enforcement	0.00
Open Space	42,000.00
Payroll Deductions	448,046.44
Sanitation Fund	143,379.87
Sewer Utility	2,442,658.43
Tax Sale Redemption	213,542.76

Tree Fund	0.00
Tree Planting	0.00
Trust	108,794.33
TOTAL	\$16,590,269.23

/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 Gomez, seconded by Councilmember Mascola, to remove a legal bill for payment to Mr. Rainone in the amount of \$27,769.98 from the bill list.

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

NAYS - None
Councilmember Lankey and Council President Diehl were absent.

A motion was made by Councilmember Gomez, seconded by Councilmember Karabinchak to adopt this Resolution as amended.

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

NAYS - None
Councilmember Lankey and Council President Diehl were absent.

RESOLUTION R.235-052013

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.474-072012**:

TAXPAYER	PRASAD, SAKET
PROPERTY LOCATION	9 RENEE CT
BLOCK / LOT / QUALIFIER	557.E / 23.01
DOCKET NUMBER:	012445-2011
TAX YEAR	2011

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): **2012**.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$3,057.08** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$3,057.08**.

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

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

NAYS - None
Councilmember Prasad abstained from voting.
Councilmember Lankey and Council President Diehl were absent.

The Following Resolution were Tabled at the meeting.

RESOLUTION R.241-052013

EXPLANATION: A Resolution reappointing Gary M. Price, Esq. as Chief Municipal Court Judge for the Township of Edison.

WHEREAS, Gary M. Price, Esq. presently serves as Chief Municipal Court Judge for the Township of Edison; and

WHEREAS, Mayor Ricigliano by letter of April 30, 2013 has reappointed Gary M. Price, Esq. as Chief Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

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

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. Gary M. Price, Esq. is hereby reappointed as Chief Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

A motion was made by Councilmember Gomez, seconded by Councilmember Prasad, to table Resolutions R.241-052013

AYES - Councilmembers Gomez, Karabinchak, Mascola and Prasad.

NAYS – None

Councilmember Lombardi abstained from voting.

Councilmember Lankey and Council President Diehl were absent.

RESOLUTION R.242-052013

EXPLANATION: A Resolution reappointing Parag P. Patel, Esq. as a Municipal Court Judge for the Township of Edison.

WHEREAS, Parag P. Patel, Esq. presently serves as a Municipal Court Judge for the Township of Edison; and

WHEREAS, Mayor Ricigliano by letter of April 30, 2013 has reappointed Parag P. Patel, Esq. as a Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

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

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. Parag P. Patel, Esq. is hereby appointed as a Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

A motion was made by Councilmember Gomez, seconded by Councilmember Prasad to table Resolutions R.242-052013

AYES - Councilmembers Gomez, Karabinchak, Mascola and Prasad.

NAYS – None

Councilmember Lombardi abstained from voting.

Councilmember Lankey and Council President Diehl were absent.

RESOLUTION R.243-052013

EXPLANATION: A Resolution reappointing Mary H. Casey, Esq. as a Municipal Court Judge for the Township of Edison.

WHEREAS, Mary H. Casey, Esq. presently serves as a Municipal Court Judge for the Township of Edison; and

WHEREAS, Mayor Ricigliano by letter of April 30, 2013 has reappointed Mary H. Casey, Esq. as a Municipal Court Judge for a three (3) year term effective January 1, 2013 through December 31, 2015, subject to the

advice and consent of the Township Council, pursuant to N.J.S.A. 2B:12-4(b) and Edison Township Code Section 2-9.41; and

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

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. Mary H. Casey, Esq. is hereby appointed as a Municipal Court Judge for the Township of Edison.
2. This appointment shall be for a three (3) year term effective January 1, 2013 through December 31, 2015.

A motion was made by Councilmember Gomez seconded by Councilmember Prasad to table Resolutions R.243-052013

AYES - Councilmembers Gomez, Karabinchak, Mascola and Prasad.

NAYS – None

Councilmember Lombardi abstained from voting,
Councilmember Lankey and Council President Diehl were absent.

COMMUNICATIONS

- a. Electronic letter from Lois Wolke regarding School Budget.
- b. Electronic letter from Don Ohlson regarding North Edison Little League.
- c. Letter received from Sam's Club regarding Liquor Tenant at Edison Town Center.

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

ORAL PETITIONS AND REMARKS

Council Vice President Lombardi opened the meeting for public comment.

Walt Shneer, Park Way, asked for the status of the truck signs for Meadow Road.

Mr. Medina said he is still working on this.

Mr. Shneer said there are too many traffic lights on Woodbridge Avenue and they need to be synchronized.

Mr. Medina said the County looked at this issue three years ago and he will ask them to revisit it.

John Toth, 18 Velikan Place, said he has been waiting eight years for a response to his water problem.

Esther Nemitz, 162B Fay Street, said the Open Space issue has not gone away and research is being done. She reminded everyone that the Farmer's Market opens the first Sunday in June.

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

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Prasad, the meeting was adjourned at 7:40 p.m.

Michael Lombardi
Council Vice President

Cheryl Russomanno
Acting Municipal Clerk