

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

June 12, 2013

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, June 12, 2013. The meeting was called to order at 7:05 p.m. by Council Vice President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers Karabinchak, Lankey, Lombardi and Prasad.
Councilmember Gomez entered at 7:08 p.m.
Councilmembers Diehl and Mascola were absent.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Management Specialist Stephens, Finance Director Saponaro, Public Works Director Roderman, Health Director Elliot, Township Engineer Medina, Recreation Director Halliwell, Police Chief Bryan, 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 Prasad and duly carried, the Minutes of the Worksession Meeting of April 22, 2013; Closed Session of May 22, 2013; and Regular Meeting of April 24, 2013 were accepted as submitted.

COUNCIL PRESIDENT’S REMARKS

2013 CALENDAR YEAR MUNICIPAL BUDGET:

Council Vice President Lombardi opened the meeting for public comment on the 2013 Calendar Year Municipal Budget Second Amendment.

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

**RESOLUTION TO
AMEND BUDGET**

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, the 2013 Municipal Budget was amended on May 8, 2013, and;

WHEREAS, it is desired to further 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>
Recorded Vote	(((
(Insert last names)	(((
	(<u>Absent</u>
			(
			(

CURRENT FUND
APPROPRIATIONS

(A) Operations - within "CAPS"			
	Township Clerk		
	Salaries & Wages	174,076.00	164,076.00
	Other Expenses	67,474.00	167,474.00
	Department of Finance		
	Other Expenses	652,257.00	612,257.00
	Division of Public Buildings and Grounds		
	Other Expenses		
	Heat, Light & Power	1,021,469.00	946,469.00
	Fire Hydrant Service	1,508,336.00	1,433,336.00
	Uniform Construction Code-Construction Official		
	Salaries & Wages	<u>1,012,784.00</u>	<u>1,112,784.00</u>
		<u>88,429,717.1</u>	<u>88,429,717.1</u>
	Total Operations {Item 8(A)} within "CAPS"	<u>9</u>	<u>9</u>
	Total Operations Including Contingent		
	within "CAPS"	<u>88,479,717.1</u>	<u>88,479,717.1</u>
		<u>9</u>	<u>9</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 May 25, 2013 and that said publication contain notice of public hearing on said amendment to be held at 100 Municipal Blvd. on June 12, 2013, at 7:00 o'clock p.m.

Councilmember Lankey thanked everyone for their cooperation and he presented the budget report page by page. He said it has been said before but we really do have some tough years ahead with the cost of tax appeals and healthcare. He said they are looking into the sale of a liquor license in the next few months and also the refinancing of some bond issues. He said they have managed to keep taxes flat and are working on short and long range plans.

Council Vice President Lombardi thanked everyone on the Finance Committee for all their hard work.

A motion was made by Councilmember Lankey, seconded by Councilmember Karabinchak , to adopt the 2013 Calendar Year Municipal Budget.

AYES – Councilmembers Gomez, Karabinchak, Lankey, Prasad and Council Vice President Lombardi.

NAYS – None
Councilmembers Diehl and Mascola were absent.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on May 22, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1837-2013 AN ORDINANCE AUTHORIZING A RIGHTS OF WAY USE AGREEMENT WITH FIBER TECHNOLOGIES NETWORK, L.L.C. FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES.

(The above Ordinance O.1837-2013 can be found in its entirety in Ordinance Book #26.)

Council Vice President Lombardi declared the Public Hearing opened for O.1837-2013

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

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

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

NAYS - None

Councilmember Mascola and Council President Diehl were absent.

NEW BUSINESS

PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, JUNE 26, 2013)

The following Ordinances were introduced by title:

O.1838-2013 AN ORDINANCE APPROVING A RIGHTS OF WAY USE AGREEMENT WITH UNITED FIBER AND DATA, LLC FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, 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 Wednesday, June 26, 2013.

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

NAYS - None

Councilmember Mascola and Council President Diehl were absent.

O.1836-2013 AN ORDINANCE REVISING THE TOWNSHIP CODE SECTIONS REGARDING THE LICENSING AND OPERATION OF TAXICABS.

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

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

NAYS - None

Councilmember Mascola 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.298-062013 through R.341-062013.

Jane Tousman, 14 Butler Road, asked where the housing in Resolutions R.311-062013 and R.312-062013 is going.

Mr. Medina said there is no current list as to where the housing will go.

Esther Nemitz, 162B Fay Street, asked about a Resolution for the Library that was on the worksession agenda.

Council Vice President Lombardi said that Resolution was tabled.

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

The following Resolutions R.298-062013 through R.341-062013 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Gomez.

AYES - Councilmembers Diehl, Gomez, Lankey, Prasad and Council Vice President Lombardi.

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

RESOLUTION R.298-062013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 6, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 6, 2013

FUND	AMOUNT
Current	\$6,562,245.98
Affordable Housing	6,006.38
Capital	105,142.11
Cash Performance	0.00
CDBG	79,163.37
Developers Escrow	6,263.70
Dog (Animal Control)	1,079.60
Federal Forfeited	2,388.72
Grant Funds	14,695.05
Law Enforcement	0.00
Open Space	0.00
Payroll Deductions	832,954.39
Sanitation Fund	258,498.10
Sewer Utility	159,550.85
Tax Sale Redemption	480,119.79
Tree Fund	0.00
Tree Planting	0.00
Trust	350,790.13
TOTAL	\$8,858,898.17

/s/ Janice Saponaro
 Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.299-062013

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 **\$97,055.51**.

RESOLUTION R.300-062013

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

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$74,107.99 and

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

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

RESOLUTION R.301-062013

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.462-072012**:

TAXPAYER	CIVF I-NJ1B02,LLC C/O DCT INDUST
PROPERTY LOCATION	47 BRUNSWICK AVE
BLOCK / LOT / QUALIFIER	19.A/ 6
DOCKET NUMBER:	005963-2011
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 **\$133,786.66** 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 **\$133,786.66**.

RESOLUTION R.302-062013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO VITAL COMMUNICATIONS, INC. FOR THE MAINTENANCE AND SUPPORT OF DATA PROCESSING TAX ASSESSOR SOFTWARE USED BY THE TAX ASSESSOR'S OFFICE

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the data processing tax assessor software used by the Tax Assessor's Office 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, VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611, has submitted a proposal to provide such services for a one year term from July 1, 2013 through June 30, 2014 at a cost of \$43,790.80; and

WHEREAS, VITAL COMMUNICATIONS, 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 VITAL COMMUNICATIONS, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$43,790.80 cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$43,790.80, with VITAL COMMUNICATIONS, INC., 900 South Broad Street, Trenton, NJ 08611 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.

RESOLUTION R.303-062013

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

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

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

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

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

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

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$20,000.00 with CDW GOVERNMENT INCORPORATED, 2 Enterprise Dr., Suite 404, Shelton, CT 06484, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.304-062013

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS,
INC. FOR THE REPAIR AND MAINTENANCE OF RADIO COMMUNICATION EQUIPMENT
AND ACCESSORIES**

WHEREAS, there is a need for all Township of Edison Departments to maintain and repair radio communication equipment and accessories; and

WHEREAS, MOTOROLA SOLUTIONS, INC., 5 Paragon Drive, Suite 200, Montvale, NJ 07645 has been awarded State Contract Number A83909 under T-0109/Radio Communication Equipment and Accessories; and

WHEREAS, this will be a two part contract that will cover both maintenance for the infrastructure of the Township's entire radio system and repairs to the portable and vehicle radios which are no longer covered by the maintenance contract due to their age; and

WHEREAS, the maintenance portion of the contract covers all parts and labor as well as a preventative maintenance inspection. This portion of the contract is \$181,017.60; and

WHEREAS, the repairs portion of the contract covers time and materials repairs to the portable and vehicle radios not covered by the maintenance contract. This expense will be capped at a not to exceed amount of \$60,000.00; 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 amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

NOW, THEREFORE, IT IS RESOLVED by the 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 \$241,017.60 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., 5 Paragon Drive, Suite 200, Montvale, NJ 07645 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. 83909/T-0109.

RESOLUTION R. 305-062013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITTO COPY SYSTEMS FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 3, 2013 for Public Bid No. 13-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036, submitted the lowest legally responsible, responsive bid for various items of the bid; 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, as follows:

1. All bids have been reviewed, and the bid submitted by DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$35,000.00 any other necessary documents, with DITTO COPY SYSTEMS as described herein.

RESOLUTION R.306-062013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO NPA COMPUTERS, INC. FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 3, 2013 for Public Bid No.13-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, NPA COMPUTERS, INC., 751 Coates Ave., Holbrook, NY 11741, submitted the lowest legally responsible, responsive bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$500.00, cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid submitted by NPA COMPUTERS, Inc., 751 Coates Ave., Holbrook, NY 11741 for Maintenance and Repair of Office Equipment for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$500.00 any other necessary documents, with NPA COMPUTERS, INC. as described herein.

RESOLUTION R. 307-062013

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDWARDS TIRE COMPANY INCORPORATED FOR GOODYEAR TIRES AND TUBES

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

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

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

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

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

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

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 \$30,000.00 and any other necessary documents, with **EDWARDS TIRE COMPANY INCORPORATED**, P.O. Box 704, Farmingdale, NJ 07727 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 82527/M-8000.

RESOLUTION R.308-062013

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDWARDS TIRE COMPANY INCORPORATED FOR BRIDGESTONE/FIRESTONE TIRES AND TUBES

WHEREAS, there is a need to purchase Bridgestone/Firestone Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82528 under M-8000/WSCA Tires, Tubes and Services; and

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

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

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

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

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 \$100,000.00 and any other necessary documents, with **EDWARDS TIRE COMPANY INCORPORATED**, P.O. Box 704, Farmingdale, NJ 07727 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 82528/M-8000.

RESOLUTION R.309-062013

RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE LOCAL COOPERATIVE HOUSING INSPECTION PROGRAM FOR THE CONDUCT OF HOTEL AND MULTIPLE DWELLING INSPECTIONS FROM JULY 1, 2013 TO JUNE 30, 2014

WHEREAS, the Township of Edison has requested and received authorization from the NJ Department of Community Affairs to conduct the State mandated inspections of hotels and multiple dwellings with the Township; and

WHEREAS, the State has allocated the sum of \$33,500 to be paid to the Township for costs associated with said inspections.

NOW, THEREFORE, IT IS RESOLVED by the Council of the Township of Edison that the Mayor is hereby authorized to execute an agreement for the conduct of the inspections described herein, and to accept the sum of \$33,500 for the payment of costs associated therewith.

RESOLUTION R.310-062013

RESOLUTION AUTHORIZING A REIMBURSEMENT OF FEES TO RAYMOND ANNUN FOR DUPLICATE PAYMENT OF RETAIL FOOD ESTABLISHMENT PLAN REVIEW FEES

WHEREAS, Raymond Annun made an online in the amount of \$100.00 and payment by check of \$100.00 for a total of \$200.00 for a Retail Food Establishment Plan Review for Papa Ji's Pizza, 1670C oak Tree Road License; and

WHEREAS, the fee for Retail Food Establishment Plan review is \$100.00 uired fee for Temporary Retail Food License #120410;

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 \$100.00 to Raymond Annun, 29 Southfield Road, Edison, NJ 08820 which represents the amount of overpayment for Retail Food Establishment Plan Review

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$100.00** are available for the above refund in Account No. 3-01-55-0291-000-000.

/s/ Janice Saponaro
Ond Chief Financial Officer

RESOLUTION R. 311-062013

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Township of Woodbridge as a Program Sponsor to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$558,610.68.

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH WOODBRIDGE TOWNSHIP

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$18,111.67 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Woodbridge Township's Department of Planning & Development as project sponsor, who will administer the HOPWA Grant program in the following MSA areas: Middlesex and Somerset Counties; and

WHEREAS, Woodbridge Township will receive a total allocation of \$558,610.68 for the 2013 program year of which \$544,617.93 will be used for rental assistance and 7 percent or \$40,992.75 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Department of Planning & Development**, Township of Woodbridge, 1 Main Street, Woodbridge, NJ 07095, in an amount not to exceed \$558,610.68 to administer the HOPWA Grant in Middlesex and Somerset Counties, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

RESOLUTION R. 312-062013

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Monmouth County Human Services Department, as a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$457,841.08.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH MONMOUTH COUNTY.**

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2013 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$14,160.03 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Monmouth County Department of Human Services, project sponsor, who will administer the HOPWA Grant program in the following MSA area: Monmouth County; and

WHEREAS, Monmouth County Division of Social Services will receive a total allocation of \$457,841.08 for the 2013 program year of which \$425,792.20 will be used for rental assistance and 7 percent or \$32,048.88 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Monmouth County Department of Human Services**, Kozolski Road, PO Box 3000, Freehold, NJ 07728, in an amount not to exceed \$457,841.08 to administer the HOPWA Grant in Monmouth County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.

2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

RESOLUTION R.313-062013

Explanation: This resolution allows the Township to enter into a Memorandum of Understanding with the Ocean County Board of Social Services, a Program Sponsor, to provide rental assistance to persons with AIDs or related diseases funded by the HOPWA grant, which is provided by HUD, in the amount of \$319,424.01.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH OCEAN COUNTY.**

WHEREAS, as authorized by the AIDS Housing Opportunities Act and amended by the Housing and Community Development Act of 1992, the U.S. Department of Housing and Urban Development has made available to the Township of Edison a FY 2010 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,405,027.00 of which the Township of Edison will allocate 3 percent or \$9,879/09 for the administration of the grant; and

WHEREAS, the HOPWA Grant funding will be used as a resource to provide tenant-based rental assistance for persons with acquired immunodeficiency syndrome (AIDS) or related disease (HIV) and their families who are located in the established metropolitan statistical areas (MSA) consisting of Middlesex, Somerset, Monmouth and Ocean Counties; and

WHEREAS, the Township of Edison desires to enter into a Memorandum of Understanding with Ocean County Board of Social Services, a project sponsor, who will administer the HOPWA Grant program in the following MSA areas: Ocean County; and

WHEREAS, Ocean County Board of Social Services will receive a total allocation of \$319,424.01 for the 2013 program year of which \$297,064.33 will be used for rental assistance and 7 percent or \$22,359.68 will be used for the administration of the program; and

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

1. That the Mayor and Municipal Clerk of the Township of Edison are hereby authorized and directed to enter into a Memorandum of Understanding Agreement with the **Ocean County Board of Social Services**, 1027 Hooper Avenue, PO Box 547, Toms River, NJ 08754-0547, in an amount not to exceed \$319,424.01 to administer the HOPWA Grant in Ocean County, in accordance with the terms and conditions of said Agreement on file in the Office of Edison Township's Municipal Clerk.
2. That the Municipal Clerk of the Township of Edison shall cause a copy of this Resolution to be printed in a newspaper of general circulation within the boundaries of the Township of Edison, Middlesex County, NJ no more than ten (10) days after passage of this Resolution.

RESOLUTION R. 314-062013

EXPLANATION: A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: MIDDLESEX COUNTY FUTURE WASTEWATER SERVICE AREA MAP.

WHEREAS, the Township of Edison desires for the orderly development of wastewater facilities within the Lower Raritan–Middlesex County Water Quality Management (WQM) area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 6, 2013 for a Proposed Amendment to the Lower Raritan-Middlesex County Water Quality Management Plan

entitled: Middlesex County Future Wastewater Service Area Map has been prepared by the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON on this 12th day of June, 2013, that:

1. The Township of Edison hereby consents to the amendment entitled Middlesex County Future Wastewater Service Area Map and publicly noticed on May 6, 2013, prepared by the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment, for the purpose of its incorporation into the applicable WQM plan(s);
2. This consent shall be submitted to the NJDEP in accordance with NJAC 7:15-3.4 and the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment.

RESOLUTION R.315-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by 136 Talmadge Road LLC. for the Planning Board application No Z77-09/10.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by 136 Talmadge Road LLC for a project located at 136 Talmadge Road , Edison, N.J. 08817 in Block 22, Lot 11B.1 under Application #Z77-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on August 20, 2010, 136 Talmadge Road LLC posted fees on deposit with the Township of Edison in the account # 7760296105 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 371.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to 136 Talmadge Road LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$371.25 plus accrued interest, if applicable, be refunded to 136 Talmadge Road LLC, 100 Woodbridge Center Drive, Woodbridge, N.J 07095;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 371.25, plus accrued interest, if applicable, in account #7760296105 to the applicant.

RESOLUTION R.316-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Fords Corner for the Planning Board application No. P-5146.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Fords Corner for a project located at Amboy Avenue, N.J. 08817, in Block 81, Lot 39,40,41, under Application #P-5146; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

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

WHEREAS, the applicant has requested the return of the unused portion of Developers Escrow Fees, 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; and

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, N.J. 08852;

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

RESOLUTION R.317-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Fords Corner, LLC, for the Planning Board application No P5135, #P31-09/10.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Fords Corner, LLC for a project located at Amboy Avenue, Edison, N.J., in Block 718, Lot 1D,1E,1F, under Application #P5135, #P31-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on December 13, 2010, Fords Corner, LLC posted fees on deposit with the Township of Edison in the account # 7760296117 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$2,075.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Fords Corner LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,075.00 plus accrued interest, if applicable be refunded to Ford Corner, LLC, 100 Woodbridge CTR Drive, Woodbridge, N.J 07095;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 4270.01, plus accrued interest, if applicable, in account #7760296117 to the applicant.

RESOLUTION R.318-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by T. Mobile USA for the Planning Board application No P22-09/10.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by T-Mobile USA for a project located at 5 Sunfield Avenue, Edison, N.J. 08817, in Block 395, Lot 30, under Application #P22-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on December 18, 2009 T- Mobile USA posted fees on deposit with the Township of Edison in the account # 7760296051 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$573.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to T-Mobile USA; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$573.50 plus accrued interest, if applicable, be refunded to T-Mobile USA., 12920 -SE 38th Street, Bellevue, WA 98006;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$573.50, plus accrued interest, if applicable, in account #7760296051 to the applicant.

RESOLUTION R. 319-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Anton Nader for the Planning Board application No Z35-2012.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Anton Nader for a project located at Route One South, Edison, N.J. 08817, in Block 177, Lot 31, under Application #Z35-2012; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 17, 2012, Anton Nader posted fees on deposit with the Township of Edison in the account # 7760296206 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$2,610.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Anton Nader; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,610.00 plus accrued interest, if applicable, be refunded to Anton Nader ,19 charlotte Hill Drive, Bernardsville, N.J 07924;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 2,610.00, plus accrued interest, if applicable, in account #7760296206 to the applicant.

RESOLUTION R.320-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Robert Lamb. for the Planning Board application No P26-09/10.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Robert E. Lamb for a project located at 8 Olsen Avenue, Edison, N.J. 08820, in Block 590, Lot 17, under Application #P26-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on March 8, 2010 Robert E Lamb posted fees on deposit with the Township of Edison in the account # 7760296062 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$41.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Robert E. Lamb; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$41.25 plus accrued interest, if applicable, be refunded to Robert E. Lamb, P.O. Box 821, Valley Forge, PA 19482;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$41.25, plus accrued interest, if applicable, in account #7760296062 to the applicant.

REOLUTION R.321-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Day Pitney for the Planning Board application No Z56-2011.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Day Pitney LLP, for a project located at 17 Cinder Road , Edison, N.J. 08817, in Block 643.DD, Lot 15B.1, under Application #Z56-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 22, 2011 - Day Pitney LLP posted fees on deposit with the Township of Edison in the account # 7760296158 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 62.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Day Pitney LLP; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$67.50 plus accrued interest, if applicable, be refunded to Day Pitney LLP, One Jefferson Road, Parsippany N.J. 07054;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$67.50, plus accrued interest, if applicable, in account #7760296158 to the applicant.

RESOLUTION R.322-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Henkels and McCoy Inc. for the Planning Board application No P29-09/10.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by Henkels and McCoy Inc., for a project located at 234 Pierson Avenue, Edison, N.J. 08817, in Block 795, Lot 1B.4 & 3.A, under Application #P29-09/10; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on July 10, 2010 Henkels and McCoy, Inc. posted fees on deposit with the Township of Edison in the account # 7760296098 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$ 173.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Henkels and McCoy Inc.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$173.50 plus accrued interest, if applicable, be refunded to Henkels and McCoy Inc., 985 Jolly Road, Blue Bell, PA 09422;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$173.50, plus accrued interest, if applicable, in account #7760296098 to the applicant.

RESOLUTION R.323-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by KIF Property Trust for the Planning Board application No P01-08/09.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by KIF Property Trust for a project located at 3003 Woodbridge Avenue, Edison, N.J. in Block 795D, Lot 22.B7 & 22.B8, under Application #P01-08/09; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on September 5, 2008 , KIF Property Trust posted fees on deposit with the Township of Edison in the account # 7760295969 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$500.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to KIF Property Trust; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$500.00 plus accrued interest, if applicable, be refunded to KIF Property Trust, 300 Barr Harbor Drive, Conshohocken, PA 19428;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 500.00, plus accrued interest, if applicable, in account #7760295969 to the applicant.

RESOLUTION 324-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by KIF Property Trust for the Planning Board application No P5-2011.

WHEREAS, the Township Planning Board Secretary advises that Developer Escrow Fees were posted by KIF Property Trust for a project located at 3003 Woodbridge Avenue, Edison, N.J., in Block 795D, Lot 22.10 & 22.11, under Application #P5-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on May 25, 2011, KIF Property Trust posted fees on deposit with the Township of Edison in the account # 7760296140 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$4,270.01 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to KIF Property Trust; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$4,270.01 plus accrued interest, if applicable, be refunded to KIF Property Trust, 300 Barr Harbor Drive, Conshohocken, PA 19428;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 4270.01, plus accrued interest, if applicable, in account #7760296140 to the applicant.

RESOLUTION R.325-062013

EXPLANATION: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Clifford Kuhn for the Planning Board application No Z10-2011.

WHEREAS, the Township Planning Board Secretary advises that the Developer Escrow Fees posted by Clifford Kuhn for a project located at 1701 Oak Tree Road, Edison, N.J.08820 in Block 643, Lot 20.G, under Application # Z10-2011; and

WHEREAS, the applicant was required to post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS, on March 1, 2011, Clifford Kuhn posted fees on deposit with the Township of Edison in the account # 7760296129 for Developers Escrow Fees; and

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

WHEREAS, it is now in order that the sum \$163.75 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Clifford Kuhn; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$163.75 plus accrued interest, if applicable, be refunded to Clifford Kuhn, 2300 Woodbridge Avenue, Edison, N.J. 08817;

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$163.75, plus accrued interest, if applicable, in account #7760296129 to the applicant.

RESOLUTION R.326-062013

EXPLANATION: Resolution Refunding Unused Portion of Engineering Inspection Fees on Site Plan, under Application No. P25-09/10, Plainfield Country Club, Phase I – Pool Complex.

WHEREAS, the Township Engineer advises that a final inspection was done of Plainfield Country Club (Phase I) Pool Complex, located at 1591 Woodland Avenue, in Block 415, Lot(s) 1, 2, 3, 7A, 9C, 9H1, 9E4, under Application No. P25-09/10; and

WHEREAS, the applicant was required to post engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, on September 24, 2010, Plainfield Country Club, posted inspection fees in the amount of \$18,212.75 on deposit with the Township of Edison in account #7760296111 for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$18,040.09; and

WHEREAS, it is in now in order that the sum of \$172.66, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Plainfield Country Club;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$172.66, plus accrued interest, if applicable, be refunded to Plainfield Country Club having offices at 1591 Woodland Ave, N.J. 08820; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$172.66, plus accrued interest, if applicable, in account #7760296111 to the applicant.

RESOLUTION R.327-062013

EXPLANATION: Resolution Releasing Performance Guarantee on Site Plan Improvements, under Application No. P25-09/10, Plainfield Country Club – Phase I – Pool Complex.

WHEREAS, the Township Engineer advises that an inspection has been made of Plainfield Country Club-(Phase I) Pool Complex, under Application No. P25-09/10, located at 1591 Woodland Avenue, Block 415, Lot (s) 1, 2, 3, 7A, 9C, 9H-1, 9E-4, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Certificate of Occupancy was issued on May 23, 2011, and since this project has extended beyond the two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, the Township Engineer, recommends the release of the Performance Bond No. BCY1859194 of Hanover Insurance Company posted on September 21, 2010 in the amount of \$350,195.40 with the Township of Edison, principal being Plainfield Country Club and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #1596773 posted on September 21, 2010 in the amount of \$38,910.60, plus accrued interest, if applicable, on deposit in account #7761417018 with the Township of Edison, principal being Plainfield Country Club having offices at 1591 Woodland Ave Edison, N.J. 08820, and acceptance of the subject improvements;

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 \$350,195.40 to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$38,910.60 plus accrued interest, if applicable, on deposit in account #7761417018 to the applicant.

RESOLUTION R.328-062013

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at the Plainfield Country Club, as required under Application No. P25-09/10, for Phase I Improvements, known as the Pool Complex, and under Tree Permit No.10-111.

WHEREAS, on May 13, 2011 Plainfield Country Club, located at 1591 Woodland Avenue, posted Tree Maintenance Bond fees in the amount of \$8,175.00 on deposit with the Township of Edison in account #7760275124 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond under Tree Permit No. 10-111, for, Phase I Improvements, the Pool Complex; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$8,175.00 plus accrued interest, if applicable, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$8,175.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$8,175.00 plus accrued interest, if applicable, on deposit in Account #7760275124 to Plainfield Country Club having an address of 1591 Woodland Ave, Edison, N.J. 08820.

RESOLUTION R.329-062013

EXPLANATION: AMENDMENT TO RESOLUTION R. 169-032013 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 AMENDED 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 amount of Five Hundred Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810);

WHEREAS, the Township can budget a total of Five Hundred Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810) to fund eligible 2013 activities that are attached and listed on the Amended 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 Thirty Six Thousand Eight Hundred Ten Dollars (\$536,810), 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.

RESOLUTION R. 330-062013

EXPLANATION: AMENDMENT TO RESOLUTION R.170-032013 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON AMENDING THE FISCAL YEAR 2013 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FORMULA PROGRAM GRANT THROUGH THE FILING OF THE AMENDED 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 amended amount of One Million, Four Hundred Five Thousand, Twenty Seven Dollars (\$1,405,027); 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 Five Thousand, Twenty Seven Dollars (\$1,405,027) 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 amended 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 amended application for One Million, Four Hundred Five Thousand, Twenty Seven Dollars (\$1,405,027), 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.

RESOLUTION R.331-062013

RESOLUTION REJECTING ALL BIDS FOR FROST AVENUE EAST CORRUGATED METAL PIPE REHABILITATION

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on May 2, 2013, for Public Bid No. 13-28-01, FROST AVENUE EAST CORRIGATED METAL PIPE REHABILITATION with a bid opening date of May 29, 2013; and

WHEREAS, there were two bidders; one bid was rejected due to failure to complete the stockholders form correctly and the price of the other bid was a total of \$473,960.00 which substantially exceeds the cost estimate; and

WHEREAS, Section 40A:11-13.2 of the Local Public Contracts Law allows for the rejection of all bids; and

WHEREAS, The Township of Edison desires to reject all bids under Section 40A11-13.2a - the lowest bid substantially exceeds the cost estimate for the goods or services.

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

1. The bids for Public Bid No.13-28-01 - FROST AVENUE EAST CORRIGATED METAL PIPE REHABILITATION are hereby rejected pursuant to N.J.S.A 40A:11-13.2a.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.332-062013

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR DIESEL FUEL FOR THE FUEL GASOLINE AND DIESEL CONTRACT WITH ALLIED OIL LLC, IN AN AMOUNT NOT TO EXCEED \$150,000.00

WHEREAS, ALLIED OIL, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 was awarded Contract No. 12-12-06A, FUEL-GASOLINE AND DIESEL for diesel fuel on June 27, 2012 through Resolution R.388-062012 for a one year period effective July 23, 2012 in the amount of \$500,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; 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 \$150,000.00 be extended with the price as well as all terms and conditions to remain the same until the new contract becomes effective; and

WHEREAS, the total amount of this contract, not to exceed \$150,000.00, cannot be encumbered at this time; and

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

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

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 in the amount of \$150,000.00 with ALLIED OIL, LLC, as described herein.

RESOLUTION R. 333-062013

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE A TORO
GROUNDMASTER 4000-D FROM STORR TRACTOR COMPANY THROUGH THE
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE
PRICING SYSTEM**

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

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

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of a Toro Groundsmaster 4000-D in the amount of \$55,303.20 for the Department of Public Works under this Cooperative Pricing System; and

WHEREAS, funds in the amount of \$55,303.20 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 Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$55,303.20 with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$55,303.20** are available for the above contract in Account No. **C-04-12-1817-370-001**.

/s/Janice Saponaro
Chief Financial Officer

RESOLUTION R.334-062013

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) TORO POLAR TRAC WINTER CABS FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

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

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

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of two (2) Toro Polar Trac Winter Cabs under this Cooperative Pricing System at a price of \$14,730.58 each for a total of \$29,461.16 for the Department of Public Works; and

WHEREAS, funds in the amount of \$29,461.16 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 Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$29,461.16 with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$29,461.16** are available for the above contract in Account No. **C-04-12-1817-370-001**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.335-062013

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) COMMERCIAL TORO GROUNDSMASTER 7210 ZEE MODEL 30363N FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

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

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

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded Contract MRESC 12/13-24 through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with STORR TRACTOR COMPANY for the purchase of two (2) Commercial Toro Groundsmaster 7210 Zee Model 30363N with accessories under this Cooperative Pricing System at a price of \$24,115.69 each for a total of \$48,231.38 for the Department of Public Works; and

WHEREAS, funds in the amount of \$48,231.38 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 Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$48,231.38 with STORR TRACTOR

COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Middlesex Regional Educational Services Commission Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Middlesex Regional Educational Services Cooperative Pricing System Contract as set forth above.

2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$48,231.38** are available for the above contract in Account No. **C-04-12-1817-370-001**.

/s/Janice Saponaro
Chief Financial Officer

RESOLUTION R.336-062013

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE TRAFFIC, WARNING AND STREET SIGNS AND RELATED SUPPLIES CONTRACT WITH GARDEN STATE HIGHWAY PRODUCTS IN AN AMOUNT NOT TO EXCEED \$15,000.00

WHEREAS, GARDEN STATE HIGHWAY PRODUCTS, 1740 Oak Road, Vineland, NJ 08361 was awarded Contract No. 12-03-09 on June 27, 2012 through Resolution R.386-062012 for a one year period effective July 23, 2012 in the amount of \$7,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; 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 \$15,000.00 be extended with the price as well as all terms and conditions to remain the same until the new contract becomes effective; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, 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 in the amount of \$15,000.00 with GARDEN STATE HIGHWAY PRODUCTS as described herein.

RESOLUTION R.337-062013

RESOLUTION AWARING CONTRACT TO CAMPBELL FREIGHTLINER, LLC FOR THE FURNISHING OF AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

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

WHEREAS, CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Road, Suite 8, PO Box 770, Edison, NJ 08818 has been awarded State Contract Number 73706 under T-2085/Automotive Parts for Heavy Duty Vehicles; and

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

WHEREAS, the total amount of this contract, not to exceed \$33,000.00, cannot be encumbered at this time; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00 and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC, 145 Talmadge Road, Suite 8, PO BOX 770, Edison, NJ 08818, 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. 73706 under T-2085.

RESOLUTION R.338-062013

RESOLUTION AUTHORIZING CONTRIBUTION TO THE EDISON TOWNSHIP PARADE COMMITTEE IN THE AMOUNT OF \$6,561.00

WHEREAS, The Township of Edison makes a yearly contribution to the Memorial Day Parade to help fund expenses for the parade such as refreshments, entertainment, etc.; and

WHEREAS, This year’s Memorial Day Parade will be held on Sunday, May 26, 2013 in the Clara Barton Section of the Township; and

WHEREAS, it has been recommended by the Township that the 2013 contribution be made to the Edison Township Parade Committee, 100 Municipal Blvd., Edison, NJ 08817; and

WHEREAS, funds for this purpose are available for the above payment in the Celebration of Public Events Account, Number 3-01-30-0420-000-020.

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 process payment in the amount not to exceed \$6,561.00 to the Edison Township Parade Committee.

CERTIFICATION

I hereby certify that funds in the amount of **\$6,561.00** are available for the above payment in Account No. **3-01-30-0420-000-020**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R. 339-062013

RESOLUTION AWARDING REIMBURSEMENT TO NGUTOR J. IFAN FOR ADULT BASKETBALL GOOD STANDING REFUND

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 \$100.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-048.

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

<u>REFUND NAME</u>	<u>TEAM</u>
NGUTOR J. IFAN	MAXIMUM FITNESS

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that the Chief Financial Officer of the Township of Edison shall refund the amount of \$100.00 to Ngutor J. Ifan, 34 N. 15th Avenue, Apt. 2, Manville, NJ 08835

CERTIFICATION

I hereby certify that funds in the amount of \$100.00 are available for the above teams in Account No.T-13-00-1000-000-048.

/s/ Janice Saponaro,
Chief Financial Officer

RESOLUTION R.340-062013

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO
SAFE LIFE SECURITY CORP. FOR THE PURCHASE OF VIDEO NETWORK RECORDING
EQUIPMENT FOR THE DIVISION OF POLICE**

WHEREAS, bids were received by the Township of Edison on May 8, 2013 for Public Bid No. 13-03-19-Video Network Recording Equipment, for the Division of Police; and

WHEREAS, SAFE LIFE SECURITY CORP., 500 Craig Rd. Floor 2, Manalapan, NJ 07726, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$24,020.00; and

WHEREAS, funds in the amount of \$24,020.00 have been certified to be available in the Federal Forfeited Property Account, Number T-

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

1. All bids have been reviewed, and the bid submitted by SAFE LIFE SECURITY CORP., 500 Craig Rd. Floor 2, Manalapan, NJ 07726 for the purchase of Video Network Recording Equipment, for the Division of Police 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 \$24,020.00, and any other necessary documents, with SAFE LIFE SECURITY CORP. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,020.00** are available for the above contract in Account No.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.341-062013

WHEREAS, applications have been made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2013; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-001-008	GMRI, Inc 1000 Darden Center Drive	Orlando, FL 32869 Pocket License
1205-33-002-006	KMT Caterers, LLC t/a The Rosewood Manor 2863 Woodbridge Avenue	Edison, NJ 08837
1205-33-003-002	Chestnut Inn, Inc. t/a Chestnut Inn 1905 Woodbridge Avenue	Edison, NJ 08817
1205-33-005-006	Sondek Inc.	Edison, NJ 08817

	t/a Richie's Sports Bar and Liquors 1 Vineyard Road and Johnstone Street	
1205-33-006-006	Anthony's Coal Fired Pizza t/a Anthony's Coal Fired Pizza 80 Parsonage Road	Edison, NJ 08837
1205-33-007-003	Green Derby Inc. t/a Green Derby 2024 Woodbridge Avenue	Edison, NJ 08817
1205-33-011-010	Pine Liquor License, LLC t/a Pines Manor 2085 Route 27	Edison, NJ 08817
1205-33-013-010	Norstar & Company LLC T/A Grand Shanghai Chinese Restaurant and Bar 700 US Route 1 North	Edison, NJ 08817
1205-33-014-009	John McGowan 14 Carlisle Court	Edison, NJ 08817 Pocket License
1205-33-015-014	Edison Land Investment, LLC 400 Plaza Drive	Secaucus, NJ 07096 Pocket License
1205-33-016-009	Rainforest Café Inc. t/a Rainforest Cafe 100 Menlo Park Mall	Edison, NJ 08837
1205-33-018-004	Cheesecake Factory Menlo Park Mall 455 Parsonage Road	Edison, NJ 08837
1205-33-020-010	Apple Food Services t/a Applebee's Neighborhood Grill & Bar 1045 Route 1 South	Edison, NJ 08817
1205-33-022-004	Nine J's Inc. t/a Rick's & Bill's Corner Pub 3 Meadow Road	Edison, NJ 08817
1205-33-023-005	Mac Acquisition, LLC t/a Romano's Macaroni Grill 1521 Route 1	Edison, NJ 08837
1205-33-024-001	Plainfield Country Club 1591 Woodland Avenue	Edison, NJ 08820
1205-33-025-008	Champps Entertainment t/a Champps Americana 418 Menlo Park Mall	Edison, NJ 08837
1205-33-027-007	Nordstrom, Inc. t/a Café Nordstrom 449 Menlo Park	Edison, NJ 08837
1205-33-028-005	Savi Enterprises, LLC T/A Mirage Banquet Hall 1655/130 - 155 Oak Tree Road	Edison, NJ 08820
1205-33-029-005	Akbar Lounge, LLC t/a Akbar Lounge 21 Cortland Street	Edison, NJ 08837
1205-33-030-003	Edison Land Investment, LLC 400 Plaza Drive	Secaucus, NJ 07096 Pocket License
1205-33-032-004	Brinker New Jersey, Inc. T/A Chili's Southwest Grill & Bar 1671 Oak Tree Road	Edison, NJ 08820
1205-33-035-006	Elio's Inc.	Edison, NJ 08820

	t/a Elio's Ristorante 1065-67 Inman Avenue	
1205-33-049-007	Outback Steakhouse of FL t/a Outback Steakhouse 481 US Highway 1	Edison, NJ 08817
1205-33-058-002	Fox and Hound of NJ, Inc. t/a Fox and Hound Pub & Grille 250 Menlo Park Drive	Edison, NJ 08837
1205-33-062-001	Wick Wholesalers, Inc PO Box 29	Woodbridge, NJ 07095 Pocket License
1205-33-063-003	AMC Theaters of NJ, Inc t/a AMC Theaters Menlo Park 12 55 Parsonage Road Ste 390	Edison, NJ 08817

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-056-002	Hersha Hospitality Management t/a Hilton Garden Inn Edison/Raritan 50 Raritan Center Parkway	Edison, NJ 08837
1205-36-065-011	BPG Hotel XXXIII Owner, LLC t/a Sheraton Edison Hotel 125 Raritan Center Parkway	Edison, NJ 08817
1205-36-066-001	Ashford TRS Sapphire V, LLC t/a Courtyard by Marriott 3105 Woodbridge Avenue	Edison, NJ 08837

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Distribution Licenses expiring on June 30, 2013, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-005	888 Route 22, Inc t/a The Liquor Locker/Super Saver Liquors 1701 Oak Tree Road	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corp. t/a Costco Warehouse #323 2210 Route 27 North	Edison, NJ 08817
1205-44-033-003	Donald P. Vincz t/a Vincz's Food and Liquors 1066 Amboy Avenue	Edison, NJ 08837
1205-44-036-005	YT & T Inc. t/a Harvest Wines & Spirits 2370 Woodbridge Avenue	Edison, NJ 08817
1205-44-059-002	VW & Sons, Inc. t/a Plaza Discount Wines & Spirits 561 US Route 1	Edison, NJ 08817
1205-44-064-004	Rishrik, LLC t/a Wineoland 1199 Amboy Avenue	Edison, NJ 08837

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2013, for which are required fee of \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-034-001	Edison Memorial Post #3117 1970 Woodbridge Avenue	Edison, NJ 08817
1205-31-037-001	American Legion Father & Sons Post 435 43 Oakland Avenue	Edison, NJ 08817
1205-31-038-001	Clara Barton Post #324 Club, Inc. American Legion 156 Brower Avenue	Edison, NJ 08837
1205-31-039-001	Columbian Club of Edison 71 Council Place	PO Box 213 Edison, NJ 08818
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-046-001	Loyal Order of Moose Edison Lodge 1978 410 Talmadge Road	Edison, NJ 08817
1205-31-047-001	Raritan Riverboat Club, Inc. Thompson Place	PO Box 1288 Edison, NJ 08817
1205-31-050-001	Edison Lodge No. 2487 BPOE of the USA 375 Old Post Road	PO Box 2 Edison, NJ 08818

COMMUNICATIONS

- a. Email received from Mr. Ohlson regarding operating of machines on Sunday.

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

ORAL PETITIONS AND REMARKS

Council Vice President Lombardi opened the meeting for public comment.

Bill Brunner, 215 Loring Avenue, said there was an article in the Star Ledger on June 4th stating the Governor Christie will be taking back the COAH money and that Edison has 120 special needs areas that will be affected. He asked if this was true or just bad reporting.

Mr. Kemm said it is bad reporting.

Mr. Brunner said on May 15th there was a Special Meeting held regarding the Board of Education budget. He felt Dan Michaud is excellent at what he does in moving money within the Board of Education budget. He said the average teacher's salary in Edison is \$80,000, making it one of the top five in the State. He felt the Council could have cut more from the budget and they were played like a fiddle. He also commented on a letter he received from the Edison PBA on which Officer Dotro is listed as the Finance Secretary for the union. He said Officer Dotro has had ten complaints against him over the years and they should clean house.

Jane Tousman, 14 Butler Road, said at the budget hearing she asked how much Mr. Kemm and Mr. Rainone make. She also said the Planning and Zoning Board have consultants whose fees are not listed in the budget. She also felt that next year we should have each department head present their budget at the budget hearings which did not happen this year and she would like to know how much we are paying for debt service for Green Acres.

Ms. Ruane said the professional fees for the Planning and zoning Boards are paid out of escrow funds.

Bruce Diamond, Calvert Avenue, said he missed the Open Space meeting but he received some information and said there is a big hole somewhere. He also commented on an article in the Sentinel regarding the Police Department where the Mayor is quoted. He said he is disappointed in the Mayor. The Police Department has been politicized and he felt they owe it to the citizens to call in the State and help the Police Chief. He felt we need State supervision of internal affairs to clean up this mess. He asked if the Council is willing to work with the State and the Administration to clean up the Police Department. He said it is embarrassing to be a resident and questioned if this is what we receive for our tax dollars. He finds the silence on the part of the Council offensive.

Councilmember Dr. Prasad felt we definitely need someone from the outside that is not influenced by politics. He said six years ago we had someone from the outside come in and the Township and these chambers were less than hospitable. Now that all this has come to light we are saying bring someone in from the outside. He felt we do need outside help and hopefully this time we will be more accepting and hospitable as there is a lot to be done.

Mr. Diamond said when you lose you move on, shut your mouth and go to work. You should not be worrying about Police votes you should be concerned with the residents votes. He felt this makes us look silly.

Walt Shneer, Park Way, said Edison has a bad name as far away as Florida. He handed in some pictures of trash in the park and a sewer cover that was removed.

Mr. Elliot said DPW will put the cover back in place.

Mr. Shneer asked about truck signs on Meadow Road.

Mr. Medina said he will work with Police and DPW on this.

Mr. Shneer asked why the State is holding up new businesses at the former Ford site.

Councilmember Karabinchak said the State is not holding it up it is the economy.

Randy Shultz, AAA Checker Cab, asked for an explanation of the proposed taxi ordinance. He said a lot of taxis in Edison are operating out of their own homes and apartments. He said getting a taxi license in Edison is a joke. He said last month at 3:30 a.m. he was hit from behind by another cab at the Edison train station and the driver had no driver's license. He asked who is going to enforce the ordinance. He thanked the Council for their efforts.

Councilmember Karabinchak said the proposed ordinance will increase the fees and the insurance requirements.

Maryann Hennessey, 20 Carmello Drive, said we are purchasing three new lawnmowers and she asked what they are for and where they will be used.

Mr. Roderman said they are replacing old machines.

Ms. Hennessey asked why the Township doesn't mow the library property if we have the equipment in order to save money.

Mr. Roderman said that is not is decision.

Ms. Ruane said she will speak to the library but the services are already engaged for this year.

Councilmember Karabinchak said it would not save money because we would have to bill the library.

Esther Nemitz, 162B Fay Street, said she has been reading the COAH articles in the newspaper. She asked how much money we stand to lose.

Mr. Kemm said about \$2 million. We have done all we can do. COAH will make the decision.

Ms. Nemitz asked if we are prepared to go to court and if she submits an OPRA can she get a list of what our monies are committed for.

Mr. Kemm said "yes".

Councilmember Gomez said now that the budget has been adopted, the Council will again be looking for the variance analysis report every month. He also said this is the fourth year in a row that they have asked for a long range plan.

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

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, the meeting was adjourned at 8:18 p.m.

Michael Lombardi
Vice Council President

Cheryl Russomanno
Acting Municipal Clerk