

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

**AUGUST 24, 2011**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, August 24, 2011. The meeting was called to order at 7:03 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

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

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Management Specialist Stephens, Acting Finance Director Pollex, Public Works Director Roderman, Health Director Elliott, Township Engineer Medina, Recreation Director Halliwell, Police Captain Kelly and Deputy Fire Chief Latham.

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 January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.

**APPROVAL OF MINUTES**

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey and duly carried, the Minutes of the Special Meetings of June 20, 2011, Special Meeting I of June 29, 2011, Special Meeting II of June 29, 2011, Worksession Meetings of June 20 and July 25, 2011, Closed Session Meeting of July 27, 2011 and Regular Meetings of June 22 and July 27, 2011 were accepted as submitted.

**COUNCIL PRESIDENT'S REMARKS**

Council President Diehl said he is looking forward to a nice golf tournament in Edison and hopes the impending hurricane stays to the east.

**UNFINISHED BUSINESS**

**ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinance, which was introduced by Title on July 27, 2011, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1777-2011 AN ORDINANCE PERMITTING THE SALE OF BLOCK 643H, LOTS 12, 13 AND 14 WHICH ARE NO LONGER NEEDED BY THE TOWNSHIP OF EDISON FOR PUBLIC USE**

(The above Ordinance O.1777-2011 can be found in its entirety in Ordinance Book #25.)

Council President Diehl declared the Public Hearing opened for O.1777-2011.

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

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

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

NAYS - None

Councilmembers Gomez, Perilstein and Prasad were absent.

**NEW BUSINESS**

**PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, SEPTEMBER 14, 2011)**

The following Ordinances were introduced by title:

**O.1778-2011 AN ORDINANCE AUTHORIZING A TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF VINEYARD ROAD AND COSTCO WHOLESALE NORTH DRIVEWAY**

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 September 14, 2011.

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

NAYS - None

Councilmember Gomez, Perilstein and Prasad were absent.

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.618-082011 through R.672-082011.

Jane Tousman, 14 Butler Road, spoke about the landfill closure and asked for the amounts.

Mr. Pollex said the last time he looked it totaled about \$15 million. He will check the exact amount and breakdown.

Ms. Tousman spoke on Resolution R.633-082011 and asked why we are hiring Mr. Kraft.

Mr. Kemm said he is not putting forth any bonds but BANS are going to be issued this year. His contract has expired and we want to renew it for this year.

Ms. Tousman spoke about COAH housing. She feels COAH is dead and is not sure why we are being strong on this now. She felt we should wait to see what entity will handle affordable housing and then go forward. She asked what benefits Resolution R.672-082011 brings to Raritan Center.

Councilmember Karabinchak said Federal Business Centers is petitioning the Federal government and this Resolution supports them.

Ms. Tousman felt there must be some projects looking to come into Edison.

Councilmember Karabinchak did not know of any projects designated right now. They are looking for free trade zone status to advertise Raritan Center as a free trade zone. This entices companies from overseas and local companies to come to this zone. He noted that Heller Park is also a free trade zone. He felt anything that might bring employment into Edison during this bad economic time is good.

Esther Nemitz, 162B Fay Street, spoke on Resolution R.656-082011 about COAH. She felt it is important to support this because people need these services and this type of housing.

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

Councilmember Karabinchak requested that Resolutions R.656-082011 and R.672-082011 be pulled for separate vote.

Councilmember Lankey requested that Resolutions R.618-082011, R.637-082011 and R.638-082011 be pulled for separate vote.

The following Resolutions R.619-082011 through R.636-082011, R.639-082011 through R.655-082011 and R.657-082011 through R.671-082011 were adopted under the Consent Agenda on a motion made by Councilmember Prasad and seconded by Councilmember Mascola.

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

NAYS - None

**RESOLUTION R.619-082011**

**Explanation:** The Body Armor Replacement Fund is funded through a \$1 surcharge to each fine, penalty or forfeiture imposed and collected by a judge under authority of any law for any violation of the provisions of Title 39 of the Revised Statutes. Moneys collected and deposited in the Fund are used in making grants to local and

**RESOLUTION APPROVING PARTICIPATION IN 2011 STATE BODY ARMOR REPLACEMENT GRANT FUNDING PROGRAM**

**WHEREAS**, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

**WHEREAS**, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

**WHEREAS**, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

**THEREFORE, BE IT RESOLVED** that the Township of Edison wishes to participate to the fullest extent in the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund grant funding program.

**RESOLUTION R.620-082011**

**Explanation:** The Middlesex county Prosecutor's Office will provide up to \$5,000.00 in reimbursement funding to each of the 25 municipal law enforcement agencies to implement their action plan to address community concerns. Eligible items for reimbursement : (1) Overtime Costs for sworn law enforcement personnel being deployed in accordance with the agencies plan (max rate \$55.00 per hour), (2) purchase education related materials related to the community concerns, (3) guest speakers to address community groups related to their concern or to provide instruction to those groups in response to identified concerns, (4) Other proposals put forth by the agency that are deemed by the MCPO to be legitimate expenses made in spirit of law enforcement effort to resolve community concerns.

**Resolution approving application and participation in Law Enforcement Response to Community Concerns Grant sponsored by the Middlesex County Prosecutor's Office**

**WHEREAS**, the Township of Edison, Department of Public Safety, Division of Police wishes to apply for grant funding to better enable the Department to address any community concerns within the municipality impacting the quality of life of their residents via protective approaches to policing, education and intervention; and

**WHEREAS**, the grant will provide limited funding to any qualifying law enforcement agency to assist that agency in its efforts to intervene into law enforcement related quality of life concerns brought forth by the community ; and

**WHEREAS**, the Township of Edison Department of Public Safety, Division of Police wishes to apply and participate to the fullest extent under this grant program.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the Township of Edison.

**RESOLUTION R.621-082011**

**EXPLANATION:** This resolution approves the development and submission of the Township of Edison Division of Fire's web-based, on-line application to the 2011 USDHS FEMA Assistance to Firefighter Grant (AFG) program, for grant funding of up to \$400,000.00, to obtain funds to facilitate the acquisition of a diesel, Pumper Engine, for the protection, improved safety and effective performance of active Edison Division of Fire Firefighters.

**WHEREAS**, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) has provided an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the Assistance to Firefighters Grants (AFG) program; and

**WHEREAS**, the 2011 USDHS FEMA AFG program provides grant funds to assist local Fire Fighter Companies to acquire a diesel, Pumper Engine to protect and assist Edison Fire Fighters in local firefighting and related hazardous activities; and

**WHEREAS**, the Township of Edison Division of Fire wishes to apply for grant funding of up to \$400,000.00, available from the 2011 USDHS FEMA AFG program; and

**WHEREAS**, the 2011 USDHS FEMA AFG program provides 80% in federal grant funds with 20% requisite, local matching funds to awardees.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, according to current 2011 USDHS FEMA AFG regulations, at a regularly-scheduled, public meeting on Wednesday, August 24, 2011.

**USDHS FEMA Assistance to Firefighters Grants**

The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. The Federal Emergency Management Agency administers the grants in cooperation with the U.S. Fire Administration.

**RESOLUTION R.622-082011**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RJR ENGINEERING COMPANY INCORPORATED FOR POOL RENOVATIONS-YMCA FAMILY SWIM CLUB AT OAKCREST**

**WHEREAS**, bids were received by the Township of Edison on August 3, 2011 for Public Bid No. 11-06-27, Pool Renovations-YMCA Family Swim Club at Oakcrest; and

**WHEREAS**, RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, It is the intention of the Township to award the base bid (Item No. 1) plus one or more alternates; and

**WHEREAS**, the Township only has funding at this time to award the base bid (Item No. 1) in the amount not to exceed \$637,300.00 but should funding for one or more alternates becoming available, the Township shall award those alternates at a later date; and

**WHEREAS**, funds in the amount of \$637,300.00 have been certified to be available in the Middlesex County Oakcrest Swim Club Grant Account, Number G-02-10-0165-804-000; and

**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 RJR ENGINEERING COMPANY INCORPORATED, 105 Guinea Hollow Road, Califon, NJ 07830 for Pool Renovations-YMCA Family Swim Club at Oakcrest, 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 \$637,300.00 for Item No. 1, and any other necessary documents, with RJR ENGINEERING COMPANY INCORPORATED as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$637,300.00 are available for the above contract in Account No. G-02-10-0165-804-000.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.623-082011**

**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 \$251,532.06.

**RESOLUTION R.624-082011**

**RESOLUTION AUTHORIZING THE DESIGNATION OF AUTHORIZED INDIVIDUALS TO SIGN CHECKS FROM THE EDISON LANDFILL CLOSURE TRUST FUND AT THE INVESTORS SAVINGS BANK, ACCOUNT No. 299900625**

**WHEREAS**, the Township of Edison maintains a Landfill Closure Trust Fund at Investor’s Savings Bank, Account No. 299900625, and

**WHEREAS**, the designated individual authorized to sign checks from this account is Mark Acker, a former employee of the Township of Edison, and

**WHEREAS**, the Township desires two current employees to be authorized to sign checks from this account, and

**WHEREAS**, Investor’s Savings Bank has requested a Resolution of the Township to authorize a change in designated employees to sign checks for this account, and

**WHEREAS**, Agnes Yang, Comptroller is the designated individual authorized to sign checks in other accounts at this bank and Lawrence Pollex is the acting Director of Finance/C.F.O. for the Township

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT** Agnes Yang, Comptroller in the Finance Department and Lawrence Pollex, Acting Director of Finance/C.F.O. are hereby designated by the Township to be the authorized individuals to sign checks for the Edison Landfill Closure Trust Fund, Account No. 299900625 at the Investor’s Savings Bank.

**RESOLUTION R.625-082011**

**RESOLUTION AUTHORIZING PAYMENT OF FUNDS TO HOAGLAND, LONGO, MORAN, DUNST AND DOUKAS IN ORDER TO PAY CURRENT PROPERTY OWNERS FOR THE ACQUISITION OF EASEMENTS REQUIRED FOR THE TRAFFIC SIGNAL PROJECT AT THE INTERSECTION OF WOODBRIDGE AVENUE AND GURLEY ROAD IN AN AMOUNT NOT TO EXCEED \$20,100.00**

**WHEREAS**, it is necessary to acquire three easements for the traffic signal project at the intersection of Woodbridge Avenue and Gurley Road; and

**WHEREAS**, Hoagland, Longo, Moran, Dunst and Doukas, attorneys for the Township in this matter, report that permanent easements for the three properties are being held in escrow pending release of the funds to be authorized by this Resolution; and

**WHEREAS**, the three properties are identified by the attorneys as follows:

|  |                    |
|--|--------------------|
| Block 265DD, part of lots 18.G and 18.H, owned by PSE&G  | \$ 2,200.00        |
| Block 265.FF, part of lots 18.F and 18.E, owned by PSE&G | \$ 7,400.00        |
| Block 375B, part of lot 4-B, owned by Trachtenberg       | <u>\$10,500.00</u> |
|  | \$20,100.00        |

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT** the requested funds be paid to the aforementioned attorneys representing the Township in this matter, to be held in escrow pending the transfer of the required easements to the Township of Edison.

**CERTIFICATION**

I hereby certify that funds in the amount of \$20,100.00 are available in account No. C-04-07-1565-401-002.

**RESOLUTION R.626-082011**

**RESOLUTION AUTHORIZING A REFUND TO PATRICIA COSTANTINO FOR CHILD CHRISTINA COSTANTINO FOR JUNIOR POLICE ACADEMY REGISTRATION FEES**

**WHEREAS**, Patricia Costantino made application for child Christina Costantino to attend the Edison Police Department Junior Police Academy along with payment registration payment in the amount of \$50.00; and

**WHEREAS**, Christina Costantino could not attend the Junior Police Academy in order to attend to family matters.

**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 \$50.00 to Patricia Costantino, 60 Sturgis Road, Edison, NJ 08817 which amount represents the registration fee for the Edison Police Department Junior Police Academy.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed \$50.00 are available for the above refund in Account No. T-01-55-0279-000-000.

/s/ Lawrence Pollex  
Acting Chief Financial Officer

**RESOLUTION R.627-082011****RESOLUTION AUTHORIZING A REIMBURSEMENT TO SCHURMAN FINE PAPERS DBA AMERICAN GREETINGS FOR OVERPAYMENT OF A RETAIL FOOD LICENSE**

**WHEREAS**, Schurman Fine Papers, DBA American Greetings, made an online application for renewal of a retail food license for their Menlo Park Mall store in the amount of \$350.00; and

**WHEREAS**, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for Retail Food License for this facility is \$175.00.

**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 \$175.00 to Schurman Fine Papers, 500 Chadbourne Rd., Fairfield, CA 94533 which amount represents the amount of overpayment for a retail food license.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed \$175.00 are available for the above refund in Account No. 1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.628-082011****RESOLUTION AUTHORIZING A REIMBURSEMENT OF FARE CARD FEES TO VARIOUS FORMER RIDERS OF EDISON LIGHT TRANSIT**

**WHEREAS**, The Edison Light Transit to the Edison Train Station was suspended on April 8, 2011; and

**WHEREAS**, the following riders pre-purchased fare cards and are requesting refund on the unused fares.

**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 respective amounts totaling \$172.50 to the former Edison Light Transit riders as listed below:

|   |                                    |
|---|------------------------------------|
| Ritu Rawat 114 Flatiron Ct, Edison NJ 08820               | 13 fares @ \$1.50: <u>\$13.50</u>  |
| Sandeep Pathak 61 Carnwath Ct, Edison, NJ 08817           | 25 fares @ \$1.50: <u>\$37.50</u>  |
| Vijay Rathore 103 Flatiron Ct., Edison, NJ 08820          | 6 fares @ \$1.50: <u>\$9.00</u>    |
| Annie Varughese 15 Hicks St., Piscataway, NJ 08854        | 16 fares @ \$1.50: <u>\$24.00</u>  |
| Rekha Karthickeyan 220 Flatiron Ct., Edison, NJ 08820     | 15 fares @ \$1, 50: <u>\$22.50</u> |
| Jayaseelan Rajarathinam 25M Reading Rd., Edison, NJ 08817 | 19 fares @ \$1.50: <u>\$28.50</u>  |
| Subhadra Samalla 1003 Rivendell Way, Edison, NJ 08817     | 9 fares @ \$1.50: <u>\$13.50</u>   |
| Ranajoy Sarkar 268 Michelle Circle, Edison, NJ 08820      | 16 fares @ \$1.50: <u>\$24.00</u>  |

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount not to exceed \$172.50 are available for the above refund in Account No. 1-01-55-0291-000-000.

/s/ Lawrence Pollex  
Acting Chief Financial Officer

**RESOLUTION R.629-082011**

**WHEREAS**, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

**WHEREAS**, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

**WHEREAS**, H-Mart has grant funds available, through its 2011/2012 Giving Back Program for eligible programs, projects, activities and related costs of qualified organizations in the communities which local H-Mart stores serve, for which it continues to solicit on-line requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$2,500 from the 2011/2012 H-Mart Giving Back Program, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the 2011/2012 H-Mart Giving Back Program; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the 2011/2012 H-Mart Giving Back Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

**RESOLUTION R.630-082011**

**WHEREAS**, The Edison Senior Citizen Center has served the residents of Edison for over thirty years; and

**WHEREAS**, the mission of the Edison Senior Citizen Center is to provide a safe and secure public facility to afford local senior citizens opportunities for socialization, recreation, nutrition, exercise, health education, disease prevention and screenings; and

**WHEREAS**, Exxon-Mobil has grant funds available, through its 2011/2012 Community Outreach/Local Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities in which its facilities operate; and

**WHEREAS**, the Edison Department of Health and Human Services, intends to apply for grant funding for a maximum of \$2,000 from the Exxon-Mobil 2011/2012 Community Outreach/Local Giving Program, as it will help to support the continuing, effective operation, events and activities of the Edison Senior Citizen Center; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through Edison Senior Citizen Center, to apply for grant funding from the 2011/2012 Exxon-Mobil Community Outreach/Local Giving Program; and

**WHEREAS**, the Edison Department of Health and Human Services, through the Edison Senior Citizen Center, will utilize all grant funds awarded to it by the Exxon-Mobil 2011/2012 Community Outreach/Local Giving Program, as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

**RESOLUTION R.631-082011**

**WHEREAS**, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

**WHEREAS**, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy

behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

**WHEREAS**, the Wal-Mart Foundation has grant funds available, through its FY12 Facility Level Giving/Local Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities which local Wal-Mart and Sam's Club stores serve, for which it continues to solicit on-line requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum of \$2,500 from the Wal-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

**WHEREAS**, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the Wal-Mart Foundation; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Wal-Mart Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, August 24, 2011.

**RESOLUTION R.632-082011**

**RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$5,000 FROM THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE**

**WHEREAS**, the Township of Edison has been approved to receive a grant of \$5,000.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2011 Municipal Alliance Minigrant Program with no match requirement; and

**WHEREAS**, the Edison Municipal Alliance/Youth Services Commission wishes to accept said grant from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of Edison; and

**WHEREAS**, these services provide a significant benefit to the residents of the Township by providing primary prevention and early intervention services to those at risk of developing lifelong addictions or struggling to overcome them, and educating our children to help them avoid falling into the traps of alcoholism, smoking, and drug abuse.

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

1. The appropriate fiscal officer shall accept the funds in connection with said project from the County of Middlesex and make disbursements in accordance with said application.
2. The Mayor is hereby authorized to execute an agreement, and any and all documents pertaining to said grant.

**RESOLUTION R.633-082011**

**Explanation:** This Resolution awards a Professional Services Agreement to John L. Kraft, Esq., and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township of Edison as Bond Counsel.

**WHEREAS**, the Township is in need of legal services relating to the issuance of bonds, notes and related financing issues; and

**WHEREAS**, John L. Kraft, Esq. has extensive experience and an excellent reputation in the area of municipal and public entity finance and serving as bond counsel; and

**WHEREAS**, for these reasons the Mayor recommends, with the approval of the Director of Law, the appointment of John L. Kraft, Esq., and the firm of Lomurro, Davidson, Eastman & Munoz, P.A., for the position of Township Bond Counsel; and

**WHEREAS**, for these reasons the Township Council recommends John L. Kraft, Esq. for the position of Township Bond Counsel; and

**WHEREAS**, the Local Public Agreements Law N.J.S.A.. 40A: 11-1 et seq., more specifically N.J.S.A. 40A:11-5, allows for the awarding of a Agreement for "Professional Services" without public advertising for bids; and



**WHEREAS**, prior to the execution of a Agreement, John L. Kraft, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in Lomurro, Davidson, Eastman & Munoz, P.A., has made any reportable contributions to a political or candidate committee of the Township Council of the Township of Edison in the previous year, and that the Agreement will prohibit an individual with a 10% interest or larger in Lomurro, Davidson, Eastman & Munoz, P.A., from making any reportable contributions through the term of the Agreement, pursuant to N.J.S.A. 19:44A-20.5, et seq; and

**WHEREAS**, this Agreement is not awarded through a “fair and open process” pursuant to 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**, compensation for professional services shall be at the rates in the attached Agreement incorporated herein by reference, any professional services not included in the costs of a bond or note issue as provided for in the attached Agreement are not to exceed \$75,000.00 without prior approval; and

**WHEREAS**, the Township Council has determined that it is in the best interest of the Township of Edison to enter into the attached Agreement for professional services with John L. Kraft, Esq. and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township as Township Bond Counsel; and

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

1. The Mayor, Township Clerk, Township Attorney, and other necessary Township Officials are hereby authorized to execute and deliver the attached Agreement for professional services with John L. Kraft, Esq. and Lomurro, Davidson, Eastman & Munoz, P.A., to represent the Township as Township Bond Counsel and all other documents and undertake all actions reasonably necessary to effectuate this Resolution.
2. The Agreement is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Agreements Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Agreement authorized hereby has been provided by the Chief Finance Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable ordinances.
4. No payments in excess of the “not-to-exceed” Agreement amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Agreement shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the Agreement.
6. The Township of Edison may, upon ten (10) days written notice, and without cause, terminate the Agreement.
7. The Agreement shall, for all purposes, be deemed a New Jersey Agreement and any provisions of the Agreement shall be governed and interpreted according to the Laws of the State of New Jersey.
8. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

**RESOLUTION R.634-082011**

**EXPLANATION:** This Resolution authorizes an increase in funds for the final payment for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09.

**WHEREAS**, a request for legal representation for Sergeant Alex Glinsky and other officers in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 was approved by Resolution R.572-92009 adopted on September 23, 2009 and as amended by Resolution R.659-112009 adopted on November 12, 2009; and

**WHEREAS**, the Resolutions being two (2) years old have lapsed and a new Resolution is required to pay the remaining legal bills of Lawrence Y. Bitterman, Esq. in the amount of \$9002.00 for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 and authorize an increase in the amount of \$9002.00 over the originally appropriated \$40,000.00; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison, Middlesex County, New Jersey, that the payment of the remaining legal bills of Lawrence Y. Bitterman, Esq. in the amount of \$9002.00 for the representation of Sergeant Alex Glinsky in the matter of: Joseph and Robin Kenney v. Edison Township, et al. Docket No.: MID-L-5922-09 is hereby approved.

**CERTIFICATION**

I hereby certify that funds in the amount of \$9002.00 are available in Account No. 1-01-20-0155-001-020.

/s/ Lawrence Pollex  
Acting Chief Financial Officer

**RESOLUTION R.635-082011**

**EXPLANATION:** This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with KTR Edison, LLC in connection with the property identified as Block 795D, Lots 22.10 and 22.11, commonly referred to as 3003 Woodbridge Avenue, as shown on the Edison Township tax map (the "Property").

**WHEREAS**, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), for preliminary and final major site plan approval and minor subdivision approval to construct a new office warehouse building on Lot 22.11, modify internal vehicular access within Lot 22.10 and readjust the lot line between Lots 22.10 and 22.11 on its property on 3003 Woodbridge Avenue, as shown as Block 795D, Lots 22.10 and 22.11 on the Township Tax Map (the "Project"); and

**WHEREAS**, the Board granted the requested preliminary and final site plan and minor subdivision approval and memorialized the same by Resolution on July 18, 2011; and

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

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

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

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

**RESOLUTION R.636-082011**

**EXPLANATION:** This Resolution authorizes the Mayor and Township Clerk to execute the attached Developer's Agreement with Fords Corner, LLC, in connection with the property identified as Block 718, Lots 1D, 1F and 1G, commonly referred to as 592 Amboy Avenue and 612 Amboy Avenue, respectively, as shown on the Edison Township tax map (the "Property").

**WHEREAS**, the Property was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board"), for approval of a preliminary and final major subdivision, site plan and variance approval to merge three undersized lots into one lot and redevelop the property with a convenience store on the property located at 592 Amboy Avenue and 612 Amboy Avenue, respectively, as shown as Block 718 Lots 1D, 1F and 1G on the Township Tax Map (the "Project"); and

**WHEREAS**, the Board granted the requested preliminary and final major subdivision, site plan and variance and memorialized the same by Resolution on April 5, 2011; and

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

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

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

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

**RESOLUTION R.639-082011**

**EXPLANATION:** This resolution enables the Township of Edison to apply to the FM Global Fire Prevention Grant Program for grant funding up to \$3,000.00, to acquire high-performance, digital cameras to assist in inspections and investigations as related to the effective performance of the Bureau of Fire Prevention and Safety, Department of Planning & Engineering, Township of Edison.

**WHEREAS**, the FM Global Insurance Company has provided and continues to provide opportunities to local Fire Departments, Fire Prevention & Safety Bureaus and Municipalities, throughout the United States of America, to apply for grant funding under its Fire Prevention Grant Program; and

**WHEREAS**, the FM Global Fire Prevention Grant Program provides grant funds to assist local Fire Departments and Municipalities to acquire equipment to assist and support local fire prevention activities; and

**WHEREAS**, the Township of Edison Division of Fire plans to apply for grant funding of up to \$3,000.00, available from the FM Global Fire Prevention Grant Program; and

**WHEREAS**, the FM Global Fire Prevention Grant Program does not require matching funds from applicants submitting applications for support of eligible projects and activities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application to the FM Global Fire Prevention Grant Program, at a regularly-scheduled public meeting on Wednesday, August 24, 2011.

**RESOLUTION R.640-082011**

**EXPLANATION:** This resolution provides concurrence from the Municipal Council of the Township of Edison on the installation of a multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway, and the construction of associated roadway improvements.

**WHEREAS**, an application by Cost Wholesale (the "Applicant") was approved by the Planning Board under Case # 19-09/10 for final site plan approval, for the construction of a new Costco Gas Station facility on a portion of Block 197, Lot 9.01; and

**WHEREAS**, the approved development plans provide for certain off-site improvements along Vineyard Road including the installation of a proposed multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway; and

**WHEREAS**, a Traffic Impact Analysis, dated October 21, 2009 revised January 13, 2010, has been prepared by the applicant's traffic engineer, Atlantic Traffic & Design Engineers, Inc., and the proposed public traffic improvements include constructing the Costco gasoline station, roadway improvements on Vineyard Road, and the installation of a multi-phase traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway; and

**WHEREAS**, the signalized intersection improvements do require NJDOT approval, and the NJDOT on May 24, 2010 issued an Authorization to Design – New Traffic Control Signal; and

**WHEREAS**, the Township Engineer has reviewed the NJDOT's Authorization to Design letter which authorizes the design, installation, activation and inspection of a traffic control signal at the intersection of Vineyard Road and the Costco Wholesale North Driveway, and accordingly recommends that the proposed subject multi-phase traffic control signal be installed and that the associated roadway improvements be constructed on Vineyard Road.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the Township of Edison concurs that the proposed multi-phase traffic signal at the intersection of Vineyard Road and the Costco Wholesale North be installed and that the associated roadway improvements be constructed on Vineyard Road, as proposed under Planning Board Case # 19-09/10 final site plan approval for the Costco Gas Station.

**RESOLUTION R.641-082011**

**WHEREAS**, the Township Engineer advises that an inspection has been made of Builders General Supply, Inc., Application #Z31-03/04 located at 1177 Inman Avenue in Block: 426, Lot: 1-P 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 inspection fees for this application is a zero balance, also the Certificate of Occupancy was issued on September 24, 2007, since this project has extended beyond the two-year maintenance period there will be no maintenance guarantee required; and

**WHEREAS**, on March 16, 2005 Builders General Supply Company, having offices at 15 Sycamore Avenue, Little Silver, N.J. 07739 posted a cash performance bond check #50906947 in the amount of \$360.00 on deposit in account #7760013243; and

**WHEREAS**, the Township Engineer, recommends the release of the Cash Performance Bond in the amount of \$360.00 to the applicant and acceptance of the subject improvements; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$360.00 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 \$360.00, plus accrued interest, if applicable, on deposit in account #7760013243 to the applicant.

**RESOLUTION R.642-082011**

**EXPLANATION:** This resolution provides for refund of the inspection portion of the construction permit fee, and less the 20% municipal plan review fee per the UCC, posted for a construction permit.

**WHEREAS**, on March 30, 2011, a Construction (Building) Permit fee, check #1431, permit # 2011-0880, was posted in the total amount of \$688.00 by the contractor; Dajon Associates, Inc.;

**WHEREAS**, the application was submitted to perform structural repairs to arches at 37 Plainfield Rd for the Guardian Angels Church, who at a later date were granted waiver of building permit and application fees through action of the Municipal Council of the Township of Edison, under Resolution No. R.249-042011, adopted on April 13, 2011, and;

**WHEREAS**, it is therefore appropriate that the municipal permit inspection fee in the amount of \$616.00, derived from the \$688.00 total construction permit fee less the \$72.00 DCA fee, for permit #2011-0880; to be refunded to the applicant, and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit inspection fee, on Construction Permit #2011-0880, in the total amount of \$616.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$616.00 on the inspection portion of permit fees be refunded to the contractor, Dajon Associates, Inc., having offices at 12 Dyatt Place, Hackensack, NJ 07601;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$616.00 from the Refund of Revenue Fund to the contractor, Dajon Associates, LLC.

**RESOLUTION R.643-082011**

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

**WHEREAS**, on January 21, 2011, a Construction (Building) Permit fee, check #2603, permit # 2011-0207, was posted in the total amount of \$150.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

**WHEREAS**, the application was submitted to replace an existing Furnace at 8 McAvoy Road by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$135.00, derived from the \$150.00 total construction permit fee less the \$15.00 DCA fee, be refunded to the Homeowner Ruth Lemmons, residing at 8 McEvoy Road, Edison, NJ 08837; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0207, in the amount of \$135.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$135.00 on construction permit fees posted by Edison Heating and Cooling for 8 McEvoy be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$135.00 from the Refund of Revenue Fund to the Homeowner, Ruth Lemmons, 8 McEvoy, Edison, NJ 08837.

**RESOLUTION R.644-082011**

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

**WHEREAS**, on November 16, 2010, a Construction (Building) Permit fee, check #2221, permit # 2010-3688, was posted in the total amount of \$140.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

**WHEREAS**, the application was submitted to replace an existing Furnace and Air Conditioning unit at 11 Montclair Avenue by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$133.00, derived from the \$140.00 total construction permit fee less the \$7.00 DCA fee, be refunded to the Homeowners James and Joan Sorensen, residing at 11 Montclair Avenue, Edison, NJ 08837; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2010-3688, in the amount of \$133.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$133.00 on construction permit fees posted by Edison Heating and Cooling for 11 Montclair Avenue be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$133.00 from the Refund of Revenue Fund to the Homeowners, James and Joan Sorensen, 11 Montclair Avenue, Edison, NJ 08837.

**RESOLUTION R.645-082011**

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

**WHEREAS**, on November 19, 2010, a Construction (Building) Permit fee, check #2232, permit # 2010-3712, was posted in the total amount of \$144.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

**WHEREAS**, the application was submitted to replace an existing Furnace at 37 Turner Avenue by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$133.00, derived from the \$144.00 total construction permit fee less the \$11.00 DCA fee, be refunded to the Homeowner Ellen Rosenberg, residing at 37 Turner Avenue, Edison, NJ 08820; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2010-3712, in the amount of \$133.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$133.00 on construction permit fees posted by Edison Heating and Cooling for 37 Turner Avenue be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$133.00 from the Refund of Revenue Fund to the Homeowner, Ellen Rosenberg, 37 Turner Avenue, Edison, NJ 08820.

**RESOLUTION R.646-082011**

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

**WHEREAS**, on January 21, 2011, a Construction (Building) Permit fee, check #2604, permit # 2011-0208, was posted in the total amount of \$164.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

**WHEREAS**, the application was submitted to replace an existing Furnace and Air Conditioning unit at 48 Morgan Drive by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$147.00, derived from the \$164.00 total construction permit fee less the \$17.00 DCA fee, be refunded to the Homeowner Marvin Schwarzber, residing at 48 Morgan Drive, Edison, NJ 08817; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0208, in the amount of \$147.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$147.00 on construction permit fees posted by Edison Heating and Cooling for 48 Morgan Drive be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$147.00 from the Refund of Revenue Fund to the Homeowner, Marvin Schwarzber, 48 Morgan Drive, Edison, NJ 08814 .

**RESOLUTION R.647-082011**

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

**WHEREAS**, on February 10, 2011, a Construction (Building) Permit fee, check #281888, permit # 2011-0337, was posted in the total amount of \$91.00 by the contractor, Slomins, having offices at 467 Creamery Way, Exton, PA 19341; and

**WHEREAS**, the application was submitted to install a burglar alarm at 49 Phoenix Avenue by the hired contractor; Slomins, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$90.00, derived from the \$91.00 total construction permit fee less the \$1.00 DCA fee, be refunded to the Homeowner Dolores Truskowski, residing at 49 Phoenix Avenue, Edison, NJ 08837; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0337, in the amount of \$90.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$90.00 on construction permit fees posted by Slomins for 49 Phoenix Avenue be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$90.00 from the Refund of Revenue Fund to the Homeowner, Dolores Truskowski, 49 Phoenix Avenue, Edison, NJ 08837.

**RESOLUTION R.648-082011**

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

**WHEREAS**, on February 11, 2011, a Construction (Building) Permit fee, check #2676, permit # 2011-0359, was posted in the total amount of \$140.00 by the contractor, Edison Heating and Cooling, having offices at 129 McKinley Street, So. Plainfield, NJ 07080; and

**WHEREAS**, the application was submitted to replace an existing Furnace at 57 Carriage Place by the hired contractor; Edison Heating and Cooling, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$135.00, derived from the \$140.00 total construction permit fee less the \$5.00 DCA fee, be refunded to the Homeowner Anthony Passannante, residing at 57 Carriage Place, Edison, NJ 08820; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2011-0359, in the amount of \$135.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$135.00 on construction permit fees posted by Edison Heating and Cooling for 57 Carriage Place be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$135.00 from the Refund of Revenue Fund to the Homeowner, Anthony Passannante, 57 Carriage Place, Edison, NJ 08820.

**RESOLUTION R.649-082011**

**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 \$619,636.00.

**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 2011 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 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's will receive a total allocation of \$638,800.00 for the 2011 program year of which \$576,261.00 will be used for rental assistance and 7 percent or \$43,375.00 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 \$619,636.00 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.650-082011**

**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 \$491,435.00.

**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 2011 Housing Opportunities For Persons With AIDS (HOPWA) Grant No. NJH11-F003 in the amount of \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 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 \$491,435.00 for the 2011 program year of which \$457,035.00 will be used for rental assistance and 7 percent or \$34,400.00 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 \$491,435.00 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.651-082011**

**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 \$341,868.00.

**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 mended 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 \$1,497,875.00 of which the Township of Edison will allocate 3 percent or \$44,936.00 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 \$341,868.00 for the 2011 program year of which \$317,937.00 will be used for rental assistance and 7 percent or \$23,931.00 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 \$341,868.00 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.652-082011**

**WHEREAS**, Inverness Ct. LLC posted a Tree Maintenance Bond check #0429 in the amount of \$3,555.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #06-104, located at 927 Beatrice Parkway, Block: 927 and Lots: 5.01, 6.01; and

**WHEREAS**, a Tree Maintenance Bond was posted on December 28, 2006 in the amount of \$3,555.00, on deposit in account #7760237668; and

**WHEREAS**, the Certificate of Occupancy was issued on May 6, 2008; 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 \$3,555.00, 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 \$3,555.00, 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 \$3,555.00, plus accrued interest, if applicable, on deposit in Account #7760237668 to Inverness Ct. LLC having offices at P.O. Box 346, Short Hills, N.J. 07078.

**RESOLUTION R.653-082011**

**WHEREAS**, Vincent Stallings. posted a Tree Maintenance Bond check #190 in the amount of \$675.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-12, located at 245 Fletcher Street, Block: 921and Lot: 2-B; and

**WHEREAS**, a Tree Maintenance Bond was posted on February 21, 2007 in the amount of \$675.00, on deposit in account #7760237682; and

**WHEREAS**, the Certificate of Occupancy was issued on July 24, 2008; 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 \$675.00, plus accrued interest, if applicable, be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of \$675.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus accrued interest, if applicable, on deposit in Account #7760237682 to Vincent Stallings having offices at 245 Fletcher Street, Edison, N.J.08820-1765.

**RESOLUTION R.654-082011**

**EXPLANATION:** This Resolution grants permission from the Municipal Council of the Township of Edison to International Fireworks to conduct a fireworks display for a Fall Festival celebration at Lake Papaiani, in Papaiani Park, in the Township of Edison, Middlesex County, New Jersey scheduled for Saturday, September 10, 2011.

**Whereas,** International Fireworks has applied to the Township of Edison for a permit to discharge fireworks on Saturday, September 10, 2011, for a Fall Festival celebration taking place at Lake Papaiani, in Papaiani Park; and

**Whereas,** International Fireworks has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

**Whereas,** under N.J.S.A. 21:3-3, the Chief of Police, the Deputy Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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

1. The Municipal Council of the Township of Edison does hereby grant permission for International Fireworks to conduct a fireworks display on the evening of, Saturday, September 10, 2011 at approximately 8:30 p.m. on the grounds of Lake Papaiani, in Papaiani Park, in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.** A permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** International Fireworks posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** International Fireworks post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution of authorization from the Municipal Council of the Township of Edison to issue any such fireworks permit.
3. The Division of Fire and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township clerk of Edison Township is directed to forward a copy of this resolution to Garden State Fireworks, the Fire Prevention Bureau, the Division of Fire, and Division of Police.
5. Pursuant to N.J.S.A. 21:3-6 a duplicate copy of the application, the Fire Safety Permit issued for this fireworks display and this Resolution shall be forwarded to the Office of Safety Compliance in the Department of Labor by the Township Clerk of Edison Township.

**RESOLUTION R.655-082011**

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

**WHEREAS,** The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2010 Consolidated Annual Action Plan; and

**WHEREAS,** part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

**WHEREAS,** quotes were received by the Township of Edison for Case Number 0211; and

**WHEREAS,** A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the lowest quote in the amount of \$7,750.00; and

**WHEREAS,** funds in the amount of \$7,750.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-10-0510-000-001.

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

1. All quotes have been reviewed, and the quote in the amount of \$7,750.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$7,750.00 and any other necessary documents, with A-PLUS CONSTRUCTION as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$7,750.00 are available for the above contract in Account No. T-14-10-0510-000-001.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.657-082011**

**RESOLUTION AWARDING ADDITIONAL MONIES TO ANDY MATT INCORPORATED FOR THE FURNISHING OF INFIELD MIX UNDER THE GROUND MATERIALS PUBLIC BID**

**WHEREAS**, bids were received by the Township of Edison on April 29, 2011 for Public Bid No. 11-10-26- Ground Materials; and

**WHEREAS**, As part of the aforementioned bid, Resolution R.593-072011 authorized the Township to enter into a contract in an amount not to exceed \$10,000.00 with BARTEL LANDSCAPING, 400 Talmadge Road, Edison, NJ 08817 for Item No. 4, Infield Mix at \$45.00 per ton; and

**WHEREAS**, prior to them signing said contract, BARTEL LANDSCAPING notified the Township that they could no longer supply Infield Mix as their supplier has stopped carrying the item; and

**WHEREAS**, ANDY MATT INCORPORATED, 11 Scrub Oaks Road, Mine Hill, NJ 07803 is the next lowest bidder of Infield Mix at \$48.00 per ton;

**WHEREAS**, ANDY MATT INCORPORATED was also awarded a portion of the Grounds Materials bid not to exceed \$11,000.00 by Resolution R.591-072011;

**WHEREAS**, this resolution would add an additional \$19,000.00, making the total contract amount \$30,000.00 to ANDY MATT INCORPORATED under Public Bid No. 11-10-26; and

**WHEREAS**, the total amount of this resolution, not to exceed \$19,000.00, 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 for Infield Mix in the amount of \$19,000.00 by ANDY MATT INCORPORATED, 11 Scrub Oaks Road, Mine Hill, NJ 07803 for Infield Mix is determined to be the lowest legally responsible bid.
2. The Mayor, or her designee, is hereby authorized to add an additional \$19,000.00 to the contract with ANDY MATT INCORPORATED for a total contract amount of \$30,000.00.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**RESOLUTION R.658-082011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO FORDS LAWN MOWER FOR A WALK BEHIND MOWER/CATCHER FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, quotes were solicited by The Township of Edison for a walk behind mower/catcher for the Department of Public Works; and

**WHEREAS**, FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 submitted the lowest quote in the amount of \$6,875.54; and

**WHEREAS**, funds in the amount of \$6,875.54 have been certified to be available in the Sewer-Vehicle Replacement Account, No. C-08-08-1617-290-430; and

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

1. All quotes have been reviewed, and the quote as submitted by FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 for a walk behind mower/catcher for the Department of Public Works, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$6,875.54, and any other necessary documents, with FORDS LAWN MOWER.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$6,875.54 are available for the above contract in Account No.C-08-08-1617-290-430.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.659-082011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO JET VAC, INCORPORATED FOR REPAIRS OF THE GMC VACTOR TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, quotes were solicited by the Township of Edison for repairs to the 2003 GMC Vactor Truck for the Department of Public Works; and

**WHEREAS**, JET VAC INCORPORATED, P.O. Box 222, Northville, MI 48167 submitted the sole quote in the amount of \$11,065.59; and

**WHEREAS**, funds in the amount of \$11,065.59 have been certified to be available in the Sewer-Other Contractual Items Account, No. 1-07-55-0501-000-029.

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

1. All quotes have been reviewed, and the quote as submitted by JET VAC INCORPORATED, P.O. Box 222, Northville, MI 48167 for repairs to the 2003 GMC Vactor Truck is determined to be the sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$11,065.59, and any other necessary documents, with JET VAC INCORPORATED.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$11,065.59 are available for the above contract in Account No. 1-07-55-0501-000-029.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.660-082011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO Q MECHANICAL INCORPORATED TO REPAIR SEWER AND VENT PIPE AT THE AMBOY AVENUE FIREHOUSE**

**WHEREAS**, quotes were solicited by the Township of Edison to repair the sewer and vent pipe at the Amboy Avenue Firehouse; and

**WHEREAS**, Q MECHANICAL CONTRACTOR INCORPORATED, 951 Hilltop Road, Plainfield, NJ 07060 submitted the lowest quote in the amount of \$14,738.00; and

**WHEREAS**, funds in the amount of \$14,738.00 have been certified to be available in the Repair Firehouses and Municipal Complex Account, Number C-04-05-1452-391-004.

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

1. All quotes have been reviewed, and the quote as submitted by Q MECHANICAL CONTRACTOR INCORPORATED, 951 Hilltop Road, Plainfield, NJ 07060 to the repair sewer and vent pipe at the Amboy Avenue Firehouse.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$14,738.00 and any other necessary documents, with Q MECHANICAL CONTRACTOR INCORPORATED as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$14,738.00 are available, for the above contract in Account No. C-04-05-1452-391-004.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.661-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
RANI BARINEPALLE FOR THE DELAWARE RIVER TUBING TRIP**

**WHEREAS** Rani Barinepalle made permission slips/applications with payment in the amount of \$75.00 for her and her children Suhas & Varsha Etigunta to attend the Delaware River Tubing trip; and

**WHEREAS** Rani Barinepalle has decided to withdraw the permission slips/applications within the required cancellation period for this trip.

**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 \$75.00 to Rani Barinepalle, 252 W. Prescott Ave., Edison, NJ 08820, which amount represents the fees for admission and transportation to the Delaware River Tubing trip.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$75.00 are available in Account #1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.662-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
PATRICIA KIEDERLING FOR THE KEANSBURG AMUSEMENT PARK TRIP**

**WHEREAS** Patricia Kiederling made a permission slip/application with payment in the amount of \$30.00 for her child Angela Pagut to attend the Keansburg Amusement Park trip; and

**WHEREAS** Patricia Kiederling has decided to withdraw the permission slip/application within the required cancellation period for this trip.

**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 \$30.00 to Patricia Kiederling, 149 Vineyard Rd., Edison, NJ 08817, which amount represents the fees for admission and transportation to Keansburg Amusement Park.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$30.00 are available in Account #1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.663-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
MADHURI KAKARLA FOR THE KEANSBURG AMUSEMENT PARK TRIP**

**WHEREAS** Madhuri Kakarla made a permission slip/application with payment in the amount of \$30.00 for her child Abhigna Nadnella to attend the Keansburg Amusement Park trip; and

**WHEREAS** Madhuri Kakarla has decided to withdraw the permission slip/application within the required cancellation period for this trip.

**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 \$30.00 to Madhuri Kakarla, 714 Rivendell Way, Edison, NJ, 08817, which amount represents the fees for admission and transportation to Keansburg Amusement Park.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$30.00 are available in Account #1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.664-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
VIDYA SONAVANE FOR THE ABC PROGRAM**

**WHEREAS** Vidya Sonavane made payment in the amount of \$225.00 for her children Kartik Sonavane and Omkar Sonavane’s participation in the ABC Program at Herbert Hoover Middle School and Washington Elementary School; and

**WHEREAS** Vidya Sonavane had surgery and is home to care for her children.

**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 \$225.00 to Vidya Sonavane, 2801 Forest Haven Blvd., Edison, NJ 08817, which amount represents the monthly fee for two children in the afternoon ABC/YAP programs.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$225.00 are available in Account #1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.665-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
DONNA GASSER FOR THE ABC PROGRAM**

**WHEREAS** Donna Gasser made payment in the amount of \$90.00 for her child, Nicole Gasser’s participation in the ABC Program at James Madison Intermediate Elementary School; and

**WHEREAS** the mother is on disability and will be at home to care for her child.

**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 \$90.00 to Donna Gasser, 18 Tingley Lane, Edison, NJ 08820, which amount represents the monthly fee for the ABC program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$90.00 are available in Account # 1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.666-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
TIMOTHY ALEXANDER FOR THE ABC PROGRAM**

**WHEREAS** Timothy Alexander made application together with payment in the amount of \$25.00 for his child, Madison Alexander’s participation in the ABC Program at James Monroe Elementary School; and

**WHEREAS** Timothy Alexander submitted duplicate applications for his child.

**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 \$25.00 to Timothy Alexander, 5 Lincoln Ave., Edison, NJ 08837, which amount represents the registration fee for the ABC program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$25.00 are available in Account # 1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.667-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
CATHY LEIGHT FOR THE RENTAL OF YELENCISICS PARK**

**WHEREAS** Cathy Leight made an overpayment in the amount of \$100.00 for the rental of Yelencsics Park; and

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$100.00 to Cathy Leight, 310 Poll Pl., Edison, NJ 08817, which amount represents the amount of the overpayment.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$100.00 are available in Account # 1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.668-082011**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
VIGNESH KOTTAIVEEDU FOR MULTIPLE PLAYGROUND TRIPS**

**WHEREAS** Vignesh Kottaiveedu made permission slips/applications with payment in the amount of \$127.00 for his child Anjana Kottaiveedu to attend multiple summer playground trips to the Philadelphia Zoo, Hurricane Harbor, Keansburg Amusements and Dorney Park; and

**WHEREAS** Vignesh Kottaiveedu has decided to withdraw the permission slips/applications within the required cancellation period for all the trips.

**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 \$127.00 to Vignesh Kottaiveedu, 2712 Rivendell Way, Edison, NJ 08817, which amount represents the fees for admission and transportation to the Philadelphia Zoo, Hurricane Harbor, Keansburg Amusements and Dorney Park.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$127.00 are available in Account # 1-01-55-0291-000-000.

/s/ Frank DeRosa  
Acting Chief Financial Officer

**RESOLUTION R.669-082011**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO INTERNATIONAL  
FIREWORKS MANUFACTURING COMPANY FOR A FIREWORKS DISPLAY AT THE FALL  
FAMILY SPECTACULAR**

**WHEREAS**, quotes were solicited by the Township of Edison to provide a fireworks display for the Fall Family Spectacular to be held on September 10, 2011; and

**WHEREAS**, INTERNATIONAL FIREWORKS MANUFACTURING COMPANY, P.O. Box 6, Sycamore Road, Douglassville, PA, 19518 submitted the lowest quote in the amount of \$8,000.00; and

**WHEREAS**, funds in the amount of \$8,000.00 have been certified to be available in the Reserve for Donations to Fall Family Spectacular, Account Number T-13-00-00-000-000-029.

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

1. All quotes have been reviewed, and the quote as submitted by INTERNATIONAL FIREWORKS MANUFACTURING COMPANY, P.O. Box 6, Sycamore Road, Douglassville, PA 19518 to supply a fireworks display for the Fall Family Spectacular, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$8,000.00 and any other necessary documents, with INTERNATIONAL FIREWORKS MANUFACTURING COMPANY as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$8,000.00 are available for the above contract in Account No. T-13-00-00-000-000-29.

/s/ Larry Pollex  
Acting Chief Financial Officer

**RESOLUTION R.670-082011**

**EXPLANATION:** This Resolution authorizes the Mayor and Township Clerk to execute the attached Concurrent Jurisdiction Agreement with the Edison Job Corps Academy for the Township Police to have jurisdiction to enforce the laws at the Edison Job Corps Academy site which is located on federal property.

**WHEREAS,** Job Corps Academy, as authorized by the U.S. Secretary of Labor, delegates the power of concurrent jurisdiction to the State pertaining with respect to criminal law enforcement, provided that the Job Corps Academy is operated on federal property; and

**WHEREAS,** the Township of Edison and Job Corps. Academy have had an agreement in place since 1996, and most recently updated in 2008, which authorized the Township Police to enforce the laws on Job Corps. Academy property; and

**WHEREAS,** the parties wish to renew their agreement and execute the attached Concurrent Jurisdiction Agreement; and

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

1. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials are hereby authorized to execute and deliver the Concurrent Jurisdiction Agreement attached hereto and all other documents and undertake all actions reasonably necessary to effectuate this Resolution and the Concurrent Jurisdiction Agreement.
2. The Township Clerk is also directed to forward a certified copy of this Resolution, once adopted, to the Township Attorney.

**RESOLUTION R.671-082011**

**RESOLUTION AWARDING CONTRACT TO IBM CORPORATION FOR THE FURNISHING OF A SOFTWARE PROGRAM FOR THE DIVISION OF POLICE**

**WHEREAS,** there is a need to purchase Websphere, a software program which allows the Division of Police to access the NJ State Police database via a third party software; and

**WHEREAS,** IBM CORPORATION, 1551 South Washington Avenue, Piscataway, NJ 08854, has been awarded State Contract Number 70265 under M-0483/WSCA Computer Contract; and

**WHEREAS,** funds in the amount of \$6,035.00 have been certified to be available in the Acq.-Various Communications Equipment Account, Number C-04-01-1242-374-001; and

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$6,035.00 and any other necessary documents, IBM CORPORATION, 1551 South Washington Avenue, Piscataway, NJ 08854 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. 70265 under M-0483.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$6,035.00 are available for the above contract in Account No. C-04-01-1242-374-001.

/s/ Larry Pollex  
Acting Chief Financial Officer

The following Resolutions will be voted upon separately:



**RESOLUTION R.618-082011**

## APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING AUGUST 18, 2011

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through August 18, 2011

| FUND                 | AMOUNT                 |
|----------------------|------------------------|
| Current              | \$16,983,918.29        |
| Dog (Animal Control) | 6,780.51               |
| Sewer Utility        | 350,940.78             |
| Capital              | 5,520,100.00           |
| CDBG                 | 108,514.55             |
| Trust                | 2,183,929.66           |
| Grant Funds          | 19,003.14              |
| Sanitation Fund      | 597,691.59             |
| Payroll Deductions   | 772,358.32             |
| Park Improvements    | 0.00                   |
| Developers Escrow    | 38,955.41              |
| Cash Performance     | 71,264.66              |
| Federal Forfeited    | 0.00                   |
| Tax Sale Redemption  | 0.00                   |
| Law Enforcement      | 0.00                   |
| Affordable Housing   | 1,099.50               |
| Tree Planting        | 495.00                 |
| <b>TOTAL</b>         | <b>\$26,655,051.41</b> |

/s/ Lawrence Pollex  
Acting Chief Financial Officer

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

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

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

NAYS - None  
Councilmember Lankey abstained from voting.  
Councilmembers Gomez and Perilstein were absent.

**RESOLUTION R.637-082011**

**Explanation:** This Resolution awards a Professional Services Contract to Karl P. Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney.

**WHEREAS**, Karl P. Kemm, Esq., previously handled various legal matters on behalf of the Township of Edison, has an excellent reputation in the area of municipal government, has practiced law for many years, has knowledge of the Township of Edison ("Township") and has extensive legal staff and resources and a multi-disciplinary practice necessary to handle any matter in the municipal arena and any other unanticipated legal issue which may arise from time to time; and

**WHEREAS**, for these reasons the Mayor and the Township Council recommend Karl P. Kemm, Esq., for the position of Township Attorney; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A: 11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

**WHEREAS**, prior to the execution of a contract, Karl P. Kemm, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in Hoagland, Longo, Moran, Dunst & Doukas, LLP, has made any reportable contributions to a political or candidate committee in the Township Council of the Township of Edison in the previous year, and that the contract will prohibit an individual with a 10% interest or larger in Hoagland, Longo, Moran, Dunst & Doukas, LLP, from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, this contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, compensation for the professional services included under the Township Attorney Retainer shall be the sum of \$33,000.00, payable in 12 monthly installments at the first Council Meeting of each month, and shall include:

Advise the Council. Advise the Council or its committees or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business;

Prepare Ordinances. Prepare and revise all ordinances of the Code when so requested by the Council or any committee thereof;

Prepare Resolutions. Prepare or draft and revise all resolutions when so requested by the Council or any committee or member thereof;

Render Opinions. Render his or her opinion on any legal matter or question submitted to him or her by the Council or any of its committees or by any Township officer, in writing or orally;

Attend Council Meetings. Attend Council meetings, including special meetings and conference meetings, for the purpose of giving the Council any legal advice requested by its members;

Bid Openings. Attend and advise the Council or any designated officer of the Township in the opening and awarding of public bids; and

**WHEREAS**, compensation for the professional services outside of the scope of the above Township Attorney Retainer including but not limited to:

Advise the Mayor and Administration or any Township Officer, when thereto requested, upon all legal questions arising in the conduct of the Township's business; and

Represent the Township in all legal matters and litigation matters and before all boards and government agencies.

shall be at a rate of \$140 per hour for all attorneys and \$70 per hours for legal assistants, in an amount not to exceed \$100,000.00 (inclusive of expenses); and

**WHEREAS**, the Township Council feels that it is in the best interest of the Township of Edison to enter into the attached Contract for Professional Services with Karl P. Kemm, Esq. and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township as Township Attorney; and

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

The Mayor and Township Clerk are hereby authorized and directed to execute the Contract for Professional Services with Karl P. Kemm, Esq. and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township as Township Attorney.

9. The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
10. A certificate showing the availability of funds for the Contract authorized hereby has been provided by the Chief Financial Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2011 calendar year.
11. No payments in excess of the "not-to-exceed" Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
12. Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
13. The Mayor of Edison may, upon ten (10) days written notice, and without cause, terminate the Contract.
14. The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

**CERTIFICATION**

I hereby certify that funds in the amount of \$100,000.00 are available in Account NO. 1-01-20-0155-001-020.

/s/ Lawrence Pollex  
Acting Chief Financial Officer

**RESOLUTION R.638-082011**

**Explanation:** This Resolution awards a Professional Services Contract to Louis Rainone, Esq., and DeCotiis, FirzPatrick & Cole, LLP, to represent the Township as labor counsel.

**WHEREAS,** Louis Rainone, Esq., previously handled legal matters on behalf of the Township of Edison; and

**WHEREAS,** the Mayor recommends, with the approval of the Director of Law, that Louis Rainone, Esq., for the position of Labor Counsel; and

**WHEREAS,** the Local Public Contracts Law N.J.S.A.. 40A: 11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

**WHEREAS,** prior to the execution of a contract, Louis Rainone, Esq., will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger in DeCotiis, FitzPatrick & Cole, LLP, has made any reportable contributions to a political or candidate committee in the Township Council of the Township of Edison in the previous year, and that the contract will prohibit an individual with a 10% interest or larger in DeCotiis, FitzPatrick & Cole, LLP, from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

**WHEREAS,** this contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS,** compensation for the professional services shall be at a rate of \$140 per hour for all attorneys and \$70 per hours for legal assistants, in an amount not to exceed \$100,000.00 (inclusive of expenses); and

**WHEREAS,** the Township Council feels that it is in the best interest of the Township of Edison to enter into the attached Contract for Professional Services with Louis Rainone, Esq. and DeCotiis, FitzPatrick & Cole, LLP, to represent the Township as special counsel for the limited outstanding tax appeals herein identified, and

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract for Professional Services with Louis Rainone, Esq. and DeCotiis, FitzPatrick & Cole, LLP, to represent the Township as Labor Counsel.
  2. The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.
  3. A certificate showing the availability of funds for the Contract authorized hereby has been provided by the Chief Financial Officer and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2011 calendar year.
  4. No payments in excess of the "not-to-exceed" Contract amount will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
  5. Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.

6. The Township of Edison may, upon ten (10) days written notice, and without cause, terminate the Contract.
7. The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.
8. The contractor shall report directly to the Edison Township Attorney, who will be the chief contact with the Township of Edison.
9. The contractor shall notify the Edison Township Attorney when 80% of the "not-to-exceed" amount is attained.
10. All work relating to the demotions of policemen and fireman in the letters of January 8, 2010 from Mayor Ricigliano will be billed separately.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Township Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

**CERTIFICATION**

I hereby certify that funds in the amount of \$100,000.00 are available in Account No. 1-01-20-0155-001-020.

/s/ Lawrence Pollex  
Acting Chief Financial Officer

Councilmember Lankey asked for a time period.

Mr. Kemm said both are for the 2011 calendar year.

Councilmember Lankey asked the ability to modify this in October and November.

Mr. Kemm said the contract can be approved and the amount.

Councilmember Lankey asked their ability to modify.

Council President Diehl asked if they can amend the Resolution tonight and then take action at the end of the year.

Councilmember Lankey asked for complete details of the amounts.

Mr. Kemm said the bills get put on the bill list. If they want to see details they can gather that information from the Administration.

Councilmember Lankey asked the amounts so far.

Mr. Kemm said his total is close to \$200,000 and Mr. Rainone is approaching \$60,000 to \$70,000.

Councilmember Lankey said he wants to pay but is concerned with the amounts and the ability to modify. He would feel more comfortable with \$100,000 for each and he asked for a listing of what has been billed to date.

Council President Diehl asked if we can pay more at a later date as he did not want to hold up the contract on just this. He said Councilmember Lankey was comfortable with \$100,000 and he would be also.

A motion was made by Councilmember Lankey, seconded by Councilmember Mascola to amend Resolutions R.637-082011 and R.638-082011.

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

NAYS - None  
Councilmember Gomez and Perilstein were absent

A motion was made by Councilmember Karabinchak, seconded by Councilmember Mascola to adopt Resolutions R.637-082011 and R.638-082011 as amended.

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

NAYS - None  
Councilmember Gomez and Perilstein were absent

**RESOLUTION R.656-082011**

**Explanation:** This Resolution authorizes the release of \$125,000.00 from the Township's Affordable Housing Development Trust Fund to SERV Properties and Management, Inc. for the provision of a group home to be used for the acquisition, due diligence, and closing costs of five (5) units of Supportive Shared Living housing (\$25,000.00 per unit).

**WHEREAS,** the Township of Edison is expected to receive formal approval from the Council on Affordable Housing of its Spending Plan that will allow the Township to use a portion of its Affordable Housing Development Fees for five (5) units of Supportive Shared Living units at 5 Webster Place under contract for purchase and sponsored by SERV Properties and Management, Inc.; and

**WHEREAS,** the Municipal Council of the Township of Edison has heretofore authorized the Mayor and Township Clerk to execute a Deed Restriction with SERV Properties and Management, Inc. to confirm the Affordable Housing restrictions placed on the property located at 5 Webster Place within the Township; and

**WHEREAS,** the Resolution is required in order to authorize the Acting Chief Financial Officer of the Township of Edison to release a check in the sum of \$125,000.00 to SERV Properties and Management, Inc. (upon receipt of signed Deed Restriction) to foster the production of affordable housing within the Township of Edison.

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

1. The sum of \$125,000.00 is hereby authorized to be appropriated from the Township's Affordable Housing Development Fee Trust Fund to be paid to "SERV Properties and Management, Inc." (upon receipt of signed Deed Restriction) to foster five (5) Supportive Shared Living units at 5 Webster Place in the Township of Edison;
2. The Acting Chief Financial Officer of the Township of Edison is hereby authorized to forward the aforesaid check in the sum of \$125,000.00 (upon receipt of signed Deed Restriction) to:
 

SERV Properties and Management, Inc.  
20 Scotch Road  
Ewing, NJ 08628;
3. A certified and true copy of this Resolution, once adopted, is to be provided to the Township Attorney and the Municipal Housing Liaison for their records.

Councilmember Karabinchak said there was a lot of conversation on Monday about where the money is coming from to purchase the facility. He had questions relating to the future of COAH because COAH is in a state of drastic change. He said Edison had to supply 1018 units in the third round which has changed this year to 620 units. However, the spending plan has not been changed or modified. He noted the Camp Kilmer Resolution was adopted for 120 units of housing. He would like to see this happen however right now there are too many questions. He had questions as to who walked through the house as it is not a house that is dilapidated or falling apart. He is having a difficult time approving this based on the need.

Council President Diehl agreed with Councilmember Karabinchak and thought he did a good job asking questions that were important. Their biggest obstacle had been the COAH obligations but now the future of COAH cannot be determined at this point. He does not understand where COAH is going. He thought Councilmember Karabinchak made some good comments regarding who determined the amount being used.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Mascola to table this Resolution.

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

NAYS - None

Councilmember Gomez and Perilstein were absent.

Mr. Kemm suggested that a Subcommittee meet with Shirley Bishop before the next meeting and he asked Council President Diehl to appoint a committee.

Council President Diehl asked Councilmember Karabinchak to lead the charge.

**RESOLUTION R.672-082011**

**EXPLANATION:** This Resolution expresses the Edison Township Council's desire for the Federal Foreign Trade Zones Board to grant Foreign-Trade Zone status to the Raritan Center.

**RESOLUTION URGING THE FEDERAL FOREIGN TRADE ZONES BOARD TO GRANT FOREIGN-TRADE ZONE STATUS TO THE RARITAN CENTER**

**WHEREAS,** Federal Business Centers is a commercial real estate development company that owns 1,141 acres of land in the Raritan Centers of which approximately 550 acres are being proposed as a new general-purpose zone site under FTZ No. 49. There are sixty-six buildings located on the proposed new site, which comprise approximately 8.1 million square feet of flex, warehouse, distribution and industrial space occupied by primarily Fortune 1000 and Global 500 companies. The buildings are owned and operated by Federal Business Centers with exclusive rights to lease, sell, mortgage, or otherwise encumber and manage all of the properties; and

**WHEREAS,** Federal Business Centers, in cooperation with the Port Authority of NY/NJ is requesting Foreign-Trade Zone status for the properties located in the Raritan Center. Foreign-Trade Zone status will enable the occupants of the Raritan Center to manage their foreign goods in a duty free environment. The duty free environment allows a company to engage in repackaging, distribution, re-exports and processing under the same duty benefits that a foreign competitor would have. Foreign-Trade Zone status enable the Foreign-Trade Zone users to manage their inventory, and their cash flow in a more effective manner, and thereby empowers them to grow as businesses, and continue to grow their workforce; and

**WHEREAS,** as part of the application process to the Federal Foreign Trade Zones Board, demonstrated support from the local and state community needs to be evident; and

**WHEREAS,** the Township of Edison will and the surrounding area will benefit from the economic benefits of the designation of Foreign-Trade Zone status for it's commercial and industrial community; and

**NOW, THEREFORE, BE IT RESOLVED,** by the Edison Township Council in the County of Middlesex in the State of New Jersey hereby urges the Federal Foreign Trade Zones Board to grant Federal Foreign-Trade Zone status to the Raritan Center and supports designation of same.

Councilmember Karabinchak said this Resolution supports Federal Business Centers obtaining foreign trade zone status and he explained this earlier in the meeting.

Council President Diehl agreed with Councilmember Karabinchak. He said people question what we can do to bring new business into Edison. He said this is pretty difficult but when we have an opportunity like this one, he could not find any downside to this.

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

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

NAYS - None  
Councilmember Gomez and Perilstein were absent.

**COMMUNICATIONS**

None

**ORAL PETITIONS AND REMARKS**

Council President Diehl opened the meeting for public comment.

Bill Brunner, Loring Avenue, asked about the traffic light at Duclos Lane and Woodbridge Avenue and also the one at Colton Road and Route 27.

Mr. Medina said on Colton Road and Route 27 he will check with the DOT. At Woodbridge Avenue and Duclos Lane there are issues with the gas station access agreement.

Mr. Brunner read that Edison is getting money from the State for improving open space. He asked if we can choose where the money will be spent.

Ms. Ruane said she did not have any information on this.

Mr. Brunner spoke about the tax bills. He said the County tax went up but he was most concerned with the school tax. He said he supported the school budget, but felt the taxpayers were bamboozled. He spoke about how much additional money he is paying for the school taxes.

Walt Stochel, 2118 Oak Tree Road, said on March 15, 2011, Mr. Kemm met with Green Acres officials to discuss the proposed road on the Visco property. In July, paperwork was given regarding this meeting. The Open Space Committee has reviewed the letters. He spoke about Block 594C, Lot 2 and felt the paperwork submitted to Green Acres did not show that this was put on the ROSI in error. He felt this was purposely put on the ROSI.

Jane Tousman, 14 Butler Road, hoped the Council listened to what Mr. Stochel said. She said a diversion has to be replacement land and she felt there are other sites in Edison where the Jehovahs Witnesses can go. She suggested not hastily jumping into this and to read the material provided.

Walt Shneer, Park Way, asked if the tax increase is from Edison or the County.

Council President Diehl said Edison taxes were flat and the County went up a little.

Mr. Shneer asked about the library tax.

Mr. Kemm said a law was passed that stated the Library tax has to be separate on the tax bill and this is just there for reference purposes.

Mr. Shneer asked about the sign he had previously requested.

Mr. Stephens asked him to call tomorrow as the Public Works Department said they are in the process of obtaining this.

Mr. Shneer felt people are chopping down trees on Open Space. He discussed a loose cable by the post office on Woodbridge Avenue and also spoke about people using the post office parking lot as a cut through.

Council President Diehl asked Captain Kelly for more enforcement.

Captain Kelly said he will pass this issue along to traffic enforcement.

Mr. Shneer spoke about traffic lights backing up traffic on Woodbridge Avenue. He felt a traffic signal is needed for the First Aid Squad on Woodbridge Avenue.

Burton Gimelstob, 6 Churchill Road, said he read the proposed Fire ordinance and asked if anyone worked on this with Deputy Chief Latham.

Deputy Chief Latham said he worked on this and it was reviewed by the Law Department.

Mr. Gimelstob asked the rationale of having no time limit on climbing the aerial ladder.

Deputy Chief Latham said this currently exists in our Ordinance. The change is that the Ordinance never stated they had to come down the ladder.

A discussion ensued between Mr. Gimelstob and Deputy Chief Latham regarding various ladder climbs in the testing.

Mr. Gimelstob asked the rationale behind the Mayor being able to choose the hires instead of using the rule of the three highest scores.

Captain Kelly said the Police use the same rationale that if an individual goes through the Police Academy they are considered.

Captain Kelly explained how Police Officers are currently hired.

Maryann Hennessey, 20 Carmello Drive, said the Directors are not using the microphones when they answer questions at the meetings. She thanked Mr. Elliott for taking care of the Kilmer property. She spoke about trash at the Bus Stop by Festival Plaza and asked for a trash can to be placed there.

Mr. Elliott said he will look into this.

Ms. Hennessey gave kudos to Mr. Roderman thanking him for repairing the pot holes between Stelton Community Center and Division Street.

Dr. Louise Riscalla, 8 Lahiere Avenue, spoke about taxes. She felt people should know exactly what their taxes are and the composition of the taxes. She felt the Board of Education election should be combined with another election. She was also concerned with the blight and said the Diner property across the street is overgrown. She felt big box stores do not bring in revenues.

Charles Tomaro, 4 Waverly Drive, asked if there is anything new on the skate park.

Mr. Medina said they are getting prices.

Mr. Tomaro said September 24<sup>th</sup> is the POW MIA ceremony at St. James Church and he invited the Council to attend. He thanked Mr. Roderman for maintaining the Piscatawaytown burial ground.

Mike Shakrey, 9 Hillcrest Avenue, asked if there are plans to close the Stelton Community Center.

Council President Diehl said it is in need of repair and he is not sure of the future of the center.

Mr. Shakrey asked about heat.

Mr. Stephens said the building will be shut if there is no heat.

Mr. Shakrey said he is part of the Edison Sheltered Workshop and in order for them to move, it would take a lot of effort.

Mr. Stephens spoke about the boiler and said they are taking people over to a new area where they may be housed.

Esther Nemitz, 162B Fay Street, spoke about the weather forecast of a hurricane. She asked how we will notify people if the Farmers Market has to close.

Council President Diehl suggested that a robo call can be made if there is a need.

Ms. Nemitz felt something should be put on the website for the Farmers Market.

Council President Diehl said he has heard many complaints from residents that they do not want telephone calls and he liked the idea of the website better.

Mr. Elliott said he discussed this with the vendors and he will make a call tomorrow morning. He said any announcements will be on the website.

Ms. Nemitz spoke about the Ordinance for the Fire department and about Fire inspections.

Deputy Chief Latham said there are no changes in inspections. He said the Administration felt it would be cost effective to use civilians as Fire Inspectors.

Ms. Nemitz asked the difference in the code and Mr. Kemm explained.

Mr. Medina explained how the inspections work in his office.

Ms. Nemitz spoke about Governor Christie doing away with the Fire division in Trenton.

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

Having no further business to discuss, on a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak, the meeting was adjourned at 8:30 p.m.

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Robert Diehl  
Council President

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Reina A. Murphy, RMC  
Municipal Clerk