

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING**

November 26, 2013

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:20 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

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

Councilmembers Lankey and Mascola were absent.

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

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES:

a. through d. Accepted as submitted

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Gomez asked for the variance analysis report.

Ms. Ruane said as of October 31, 2013 we are at 90% of our revenue. She is keeping an eye on construction fees and interest. She said appropriations are at 84% and there should be minimal to no need for transfers.

6. POINTS OF LIGHT:

Council President Diehl invited everyone to attend the lighting of the Menorah on December 2nd at the Jewish Community Center. He also announced the Edison Tree Lighting to be held on December 5th. He also said there will be a blood drive held on December 10th.

Councilmember Gomez reported that Officer's Dudash and Cimminno volunteered along with community members and Mr. Elliot to clean up the Greenway.

7. FROM THE DEPARTMENT OF FINANCE:

a. through c. No comments were made.

f. This item (Resolution R.741-112013) was added at the meeting and Ms. Ruane explained that it is a rejection of all bids.

8. FROM THE DEPARTMENT OF HEALTH:

a. through c. No comments were made.

9. FROM THE DEPARTMENT OF LAW:

a. and b. No comments were made.

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through f. No comments were made.

11. FROM THE PUBLIC WORKS:

a. and b. No comments were made.

c. This item (R.657-112013) regarding Yard Waste was added at the meeting.

12. FROM THE DEPARTMENT OF RECREATION

a. through c. No comments were made

13. FROM THE TOWNSHIP CLERK:

a. No comment was made.

14. FROM THE CHIEF OF FIRE:

a. and b. No comments were made.

15. FROM THE CHIEF OF POLICE:

a. and b. No comments were made.

16. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Lombardi said the meeting was held on November 18th. There was one application regarding changing from a union hall to a house of worship. There was an issue as to whether this should be heard by the Planning or Zoning Board and it was agreed that it should remain with the Planning Board.

17. UNFINISHED BUSINESS:

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:

O.1848-2013 No comment was made.

18. PROPOSED RESOLUTIONS:

R.669-112013 Councilmember Karabinchak received more information on this that he has not had time to review so he requested that it be held.

19. COMMUNCIATIONS:

a. Received as submitted

20. DISCUSSION ITEMS:

Council President Diehl:

None

Councilmember Gomez:

None

Councilmember Karabinchak:

None

Councilmember Lankey:

- a. Resolution of Recognition – Wreaths Across America

Councilmember Lankey was absent.

Councilmember Lombardi:

None

Councilmember Mascola:

- a. Resolution of Recognition – Jade Dynasty (R.708-112013 was postponed)

Councilmember Mascola was absent

Councilmember Prasad:

None

21. COUNCIL PRESIDENT’S REMARKS

Council President Diehl wished everyone a safe and Happy Thanksgiving. He said in the past few years we have been challenged by storms but this year hopes to be a dry one.

22. APPROVAL OF MINUTES:

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, and duly carried, the Minutes of the Worksession Meeting of September 23, 2013 and October 7, 2013, Closed Session Meeting of November 13, 2013 and Regular Meeting of September 25, 2013 were accepted as submitted.

23. APPROVAL OF VOLUNTEER FIREFIGHTERS:

Applications for membership were received by:

Raritan Engine Co. #1

Jason D. Mitchell

Raritan Engine Company #2

Ryan Tibok

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

24. RESOLUTION OF RECOGNITION:

Resolution R.708-112013 was postponed to a later date.

The following Resolution of Recognition was read in its entirety:

RESOLUTION R.709-112013

WHEREAS, Wreaths Across America (WAA), is a 501c3 non-profit organization founded to continue and expand the annual wreath-laying ceremony at Arlington National Cemetery, which began by a Maine businessman, Morrill Worcester in 1992; and

WHEREAS, WAA’s mission, “Remember, Honor, Teach”, is carried out at Arlington National Cemetery, as well as at hundreds of cemeteries in all 50 states in the United States and at 24 locations overseas; and

WHEREAS, WAA has recently announced that this year, garden clubs may also purchase wreaths to be placed at a Blue Star Memorial located geographically close to the donating garden club or somewhere nearby in the state; and

WHEREAS, on Saturday, December 14, 2013, the Terra Nova Garden Club of Edison will sponsor a Wreaths Across America Day in Edison at 12:00 noon at the St. James Church Cemetery (Piscataway Burial Grounds), on Woodbridge Avenue in Edison; and

NOW, THEREFORE, the Township of Edison does hereby recognize and honor Wreaths Across America on their annual wreath-laying ceremony; and

NOW, THEREFORE, the Township of Edison does hereby recognize and honor Terra Nova Garden Club of Edison for sponsoring the Wreaths Across America Day in Edison and urges the public to attend and support this worthy effort.

Council President Diehl opened the meeting for public comment on Resolution of Recognition R.709-112013

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

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez, to adopt Resolution of Recognition R.709-112013.

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

NAYS - None

Councilmember Lankey and Mascola were absent.

25. UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:

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

O.1848-2013 AN ORDINANCE APPROVING A RIGHTS OF WAY USE AGREEMENT WITH LIGHT TOWER FIBER LONG ISLAND, LLC FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES

(The above Ordinance O.1848-2013 can be found in its entirety in Ordinance Book #27 .)

Council President Diehl declared the Public Hearing opened for O.1848-2013.)

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

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

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

NAYS - None

Councilmember Lankey, and Mascola were absent.

NEW BUSINESS

PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, December 11, 2013.

The following Ordinance was introduced by title:

O.1849-2013 AN ORDINANCE CHANGING THE ZONING OF BLOCK 4-A LOT 23 ON PLAINFIELD AVENUE AND BLOCK 182-A, LOT 9A2 ON ROUTE 1 AS RECOMMENDED IN THE MOST RECENT MASTER PLAN REVIEW.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on December 11, 2013.

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

NAYS - None

Councilmembers Lankey and Mascola were absent

O.1850-2013 AN ORDINANCE REVISING THE FEES FOR THE TOWNSHIP'S UNIFORM CONSTRUCTION CODE ENFORCING AGENCY

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, 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 December 11, 2013

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

NAYS - None

Councilmember Lankey and Mascola were absent.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS:

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.669-112013, R.657-112013 - R.710-112013 through R.741-112013

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

Councilmember Karabinchak requested that Resolution R.669-112013 be pulled for separate vote.

The following Resolutions R.657-112013 and R.710-112013 through R.741-112013 were adopted under the Consent Agenda on a motion made by Councilmember Gomez and seconded by Councilmember Lombardi.

RESOLUTION R.657-112013

EXPLANATION: A Resolution authorizing a Yard Waste Recycling and Marketing Services Agreement with the Middlesex County Improvement Authority.

WHEREAS, the Board of Chosen Freeholders (the “Board”) of the County of Middlesex (the “County”) is the solid waste management district pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1, et seq., and has adopted the Middlesex County Solid Waste Management Plan, as the same has been amended from time to time (the “County Plan”); and

WHEREAS, the County Plan designates the Middlesex County Improvement Authority, (the “Authority”) as the sole implementing agency responsible for the implementation of the County’s recycling plan; and

WHEREAS, in order to ensure uniform recycling and marketing services for yard waste materials in the County and thereby increase the percentage of yard waste materials recycled and marketed, the June 2, 1994 Amendment to the County Plan provided for the development and implementation of a County-wide yard waste recycling and marketing program, pursuant to which the Authority will provide services to participating municipalities for leaf composting and brush chipping and/or processing and for a program for composting or processing grass clippings; and

WHEREAS, such yard waste recycling and marketing services will be provided by the Authority by a private contractor, who has been selected by the Authority pursuant to a bidding process undertaken by the Authority; and

WHEREAS, Edison Township desires to permit the Authority to assume responsibility for the recycling and marketing of yard waste under the terms and conditions in the attached Agreement for the Provision of Yard Waste Recycling and Marketing Services (the “Agreement”) covering the period of August 1, 2103 through July 31, 2015, which is authorized by N.J.S.A. 40A:11-5(2) of the Local Public Contracts Law.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Edison, County of Middlesex, New Jersey, that:

1. The attached Agreement for the Provision of Yard Waste Recycling and Marketing between the Township of Edison and the Middlesex County Improvement Authority is hereby approved by the Township Council.
2. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Agreement and all other documents and undertake all actions reasonably necessary to effectuate and implement this Resolution and the terms of the Agreement.

3. As this is a Multi-Year Contract and an Open-End Contract, the total amount of this Agreement cannot be encumbered at this time, however the expenditure under this Agreement shall not to exceed \$75,000.00 for the period of August 1, 2103 through December 31, 2013; and \$150,000.00 for the 2014 calendar year; and \$80,000.00 for the period of January 1, 2105 through July 31, 2015.

4. As this is a Multi-Year Contract, for the 2014 and 2015 calendar years it is contingent upon the adoption of temporary and/or permanent budgets for those years.

5. As this is an Open-End Contract, pursuant to N.J.A.C. 5:30-11.10 funds for services under this Agreement shall be committed at the time an order is placed and shall not exceed the unit price in the Agreement, and 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 pursuant to N.J.A.C. 5:30-5.5(b).

CERTIFICATION

I hereby certify that funds in the amount of \$75,000.00 are available for the estimated costs of this contract for the 2013 calendar year only are available in Account No.3-09-55-0876-000-000.

/s/ Janice Saponaro

Chief Financial Officer

RESOLUTION R.710-112013

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

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

FUND	AMOUNT
Current	\$24,798,486.19
Affordable Housing	9,734.25
Capital	252,376.00
Cash Performance	0.00

CDBG	230,267.01
Developers Escrow	36,313.57
Dog (Animal Control)	7,685.26
Federal Forfeited	0.00
Grant Funds	150.00
Law Enforcement	0.00
Open Space	195,438.00
Payroll Deduction	481,506.63
Sanitation Fund	174,246.34
Sewer Utility	162,573.04
Tax Sale Redemption	45,679.11
Tree Fund	0.00
Tree Planting	0.00
Trust	150.00
TOTAL	\$26,394,605.40

/s/ Janice Saponaro

Chief Financial Officer

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

RESOLUTION R.711-112013

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 \$ **23,324.89**.

RESOLUTION R.712-112013

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

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$1,913.68 and

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

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

RESOLUTION R.713-112013

WHEREAS, on various properties located within the Township of Edison, overpayments of sewer use fees have been made due to erroneous or duplicate payments; and

WHEREAS, applications have been made to the Tax Collector for refund of said overpayments, totaling \$56.85 and

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

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

RESOLUTION R.714-112013

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

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.487-072012**

TAXPAYER

TORANCO ASSOC, LLC C/O TORSIELLO

PROPERTY LOCATION	505 THORNALL ST
BLOCK / LOT / QUALIFIER	676/1.A
DOCKET NUMBER:	004348-2011
TAX YEAR	2011

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

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$61,481.73** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$61,481.73**.

RESOLUTION R.715-112013

Authorizing Overpayment Refund caused by

Successful 2012 County Appeal with Freeze Act provision for 2013

WHEREAS, This office has received successful tax appeal judgment from the Middlesex County Board for the case below:

TAXPAYER	AARTI, INC C/O LEE'S MOTEL
PROPERTY LOCATION	UNITED STATES RT 1
BLOCK / LOT / QUALIFIER	778 / 17.A1
APPEAL NUMBER:	05-1200213L
TAX YEAR	2012

WHEREAS, the assessed value of the property have been reduced for the applied tax year, in accordance with the Middlesex County Board, but the provisions of N.J.S.A. 54:51A-8 (Freeze Act), was not reflected on the **2013** Tax List.

WHEREAS, the reduction in assessed value, for the Freeze Act Year (**2013**), has caused a real estate tax overpayment in the amount of **\$4,126.46** and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$4,126.46**.

RESOLUTION R.716-112013

Governor’s Council on Alcoholism and Drug Abuse

Fiscal Grant Extension January 1, 2014 to June 30, 2014

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, Township of Edison was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to Edison Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Edison Council does hereby authorize the submission of the grant extension for the Edison Municipal Alliance grant in the amount of:

DEDR	\$42,032
Cash Match	\$10508
In-Kind	\$31,524

Certification of Availability of Funds

I hereby certify that funds in the amount of \$10,508 will be available for the above contract in Account No. 4-01-27-0330-005-000 upon approval of the CY2014 Municipal Budget.

/s/ Janice A. Saponaro

Chief Financial Officer

RESOLUTION R.717-112013

Governor’s Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 1, 2014 to June 30, 2015

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, Township of Edison has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED that the Township of Edison Council does hereby authorize the submission of a strategic plan for the Edison Municipal Alliance grant for fiscal year 2014-2015 in the amount of:

DEDR	\$77,447
Cash Match	\$19361.75
In-Kind	\$58,085.25

Certification of Availability of Funds

I hereby certify that funds in the amount of \$19361.75 will be available for the above contract equally split between Accounts No. 4-01-27-0330-005-000 and 5-01-0330-005-00 upon approval of the respective CY2014 and CY2015 Municipal Budgets.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.718-112013

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$1,000 FROM NJ DEPARTMENT OF HEALTH DIVISION OF EPIDEMIOLOGY, ENVIRONMENTAL AND OCCUPATIONAL HEALTH FOR THE PROVISION OF HEPATITIS B INOCULATIONS TO POLICE, FIRE AND EMT PERSONNEL

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$1,000 from the State of New Jersey Department of Health Division of Epidemiology, Environmental and Occupational Health; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds available from the State of New Jersey to provide Hepatitis B inoculations to Edison Police, Fire and EMT personnel; and

WHEREAS, these services provide a significant benefit to the residents of Edison and our Emergency Services personnel and volunteers by providing Hepatitis B prevention education and immunizations to those in need of them to help prevent the transmission of the blood borne pathogen; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$1,000, and that the Mayor, or her designee is hereby authorized to execute any and all documents with respect to this grant described herein.

RESOLUTION R.719-112013

EXPLANATION: RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 IN THE AMOUNT OF \$826.00 FOR KAPPA CONSTRUCTION CORPORATION FOR CONTRACT NO. 11-02-06R, EDISON POLICE HQ RENOVATIONS, FOR A TOTAL REVISED CONTRACT AMOUNT OF \$1,166,242.84

WHEREAS, KAPPA CONSTRUCTION CORPORATION, 3 Matilda Drive, Ocean, NJ 07712 was awarded Contract No. 11-02-06R, EDISON POLICE HQ RENOVATIONS on November 21, 2011 through resolution R.834-112011 in the amount of \$1,143,000.00; and

WHEREAS, KAPPA CONSTRUCTION CORPORATION, 3 Matilda Drive, Ocean, NJ 07712 was subsequently awarded Change Order No. 1 on November 28, 2012 through resolution R.781-112012 in the amount of \$22,416.84, resulting in a revised contract ceiling in the amount not to exceed \$1,165,416.84; and

WHEREAS, The Township Engineer has found a change order (number 2) in the total amount of \$826.00 is necessary for the following reasons:

- Existing doors (10) received new locksets and new cover plates were required to be supplied and installed on the doors which were to receive the new locksets.

WHEREAS, funds in the amount of \$826.00 are certified to be available in the Police Install Security System Account, C-04-07-1565-394-002; and

WHEREAS, the Township Engineer recommends authorization of the required Change Order No. 2 be made to KAPPA CONSTRUCTION CORPORATION in an amount not to exceed \$826.00 for a total contract amount of \$1,166,242.84.

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Change Order No. 2 is awarded to KAPPA CONSTRUCTION CORPORATION, in an amount not to exceed \$826.00 resulting in a total contract amount of \$1,166,242.84 for 11-02-06R, EDISON POLICE HQ RENOVATIONS.

CFO CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$826.00 are available for the above in Account No. C-04-07-1565-394-002.

/s/ Janice A. Saponaro
Chief Financial Officer

RESOLUTION R.720-112013

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at 10 Olsen Avenue, for Korean Baptist Church, under Tree Permit No. 07-71.

WHEREAS, on May 23, 2007 Korean Baptist church posted Tree Maintenance Bond fees in the amount of \$9,900.00 on deposit with the Township of Edison in account #7760237717 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-71, located at 10 Olsen; and

WHEREAS, subsequently the project was sold to Masjid-Al-Wali accordingly the new owner posted replacement bonds and fees; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$9,900.00 plus accrued interest, if applicable, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$9,900.00 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 \$9,900.00 plus accrued interest, if applicable, on deposit in Account #7760013319 to Korean Baptist Church 224 Middlesex Avenue, Metuchen, NJ 08840.

RESOLUTION R.721-112013

EXPLANATION: Resolution releasing the Performance Guarantee (cash performance bond) Korean Baptist Church of America, with business address of 224 Middlesex Ave, Metuchen NJ 08840 under Application No. Z04-05/06.

WHEREAS, the Township Engineer advises that this application known as the Korean Baptist Church of America, Application #Z04-05/06, with property located in Block 590 Lot 16, was subsequently sold to Masjid-Al-Wali and all replacement bonds and fees were replace accordingly; and

WHEREAS, on August 27, 2007 a Cash Performance check #183 of PNC Bank in the amount of \$34,122.84, on deposit in account #7760013319 with the Township of Edison, Principal being Korean Baptist Church of America, is recommended to be released and refunded to the applicant;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that property located in Block 590 Lot 16 formerly known as Korean Baptist Church has been sold and is now the property to Masjid-Al-Wali and all bonds and fees have been replace by the new owner;

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Guarantee in the amount of \$34,122.84, plus accrued interest, if applicable, to the applicant.

RESOLUTION R.722-112013

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Fox & Foxx on Established Site Plan Tree Plantings at 49 Christie Street (aka: 101 & 103 Jersey Ave) under Tree Permit No. 10-151.

WHEREAS, on August 8, 2011 Fox & Foxx Development, LLC posted Tree Maintenance Bond fees in the amount of \$1,350.00 on deposit with the Township of Edison in account #7761963433 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-151 for property located at 49 Christie Street (aka: 101 and 103 Jersey Avenue); 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 \$1,350.00, plus accrued interest, if applicible, be refunded to the applicant;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,350.00 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 \$1,350.00, plus accrued interest, if applicable, on deposit in Account #7761963433 to Fox & Foxx Development, LLC having an address of 940 Amboy Ave, Suite 101, Edison, NJ 08837

RESOLUTION R.723-112013

EXPLANATION: Resolution Releasing the Maintenance Bond on Completed Site Plan Improvements that have shown no defects through the maintenance period form Application #P14-08/09 for MCC Realty (Festival Plaza) located at 301 N. Canon Drive, Suite 105, Beverly Hills Ca. 90210.

WHEREAS, the Township Engineer advises that an inspection has been made of (Festival Plaza) MCC Realty, Application #P14-08/09, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on July 28, 2011 Maintenance Bond Check #4650503508 in the amount of \$193,669.50 on deposit in account #7761417190 with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Maintenance Bond check #4650503508 in the amount of \$193,669.50, plus accrued interest, if applicable, principal being MCC Realty (Festival Plaza) having offices at 301 N. Canon Drive, Suite 105, Beverly Hills, Ca. 90210 and acceptance of the subject improvements;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Maintenance Bond in the amount of \$193,669.50, plus accrued interest, if applicable, 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 Maintenance Bond in the amount of \$193,669.50, plus accrued interest, if applicable, on deposit in account #7761417190 to the applicant.

RESOLUTION R.724-112013

EXPLANATION: Resolution Refunding Tree Maintenance Bond on Established Site Plan Tree Plantings at 1745-1779 Lincoln Hwy Rt. 27, for MCC Realty (Festival Plaza) under Tree Permit No. 09-083.

WHEREAS, on January 12, 2011, MCC Realty (Festival Plaza) posted Tree Maintenance Bond fees in the amount of \$16,800.00 on deposit with the Township of Edison in account #7760275115 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #09-083, for property located at 1745-1779 Lincoln Hwy (Rt. 27); 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 \$16,800.00, 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 \$16,800.00, plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$16,800.00, plus accrued interest, if applicable, on deposit in Account #7760275115 to MCC Realty(Festival Plaza), having an address of 301 N. Canon Drive, Suite 105, Beverly Hills, Ca 90210.

RESOLUTION R.725-112013

RESOLUTION AUTHORIZING PAYMENT TO MIDDLESEX COUNTY TREASURER FOR THERMAL PLASTIC STRIPING OF FIELDCREST AVENUE AND KING GEORGE POST ROAD

WHEREAS, the County of Middlesex provided Thermal Plastic Striping of Fieldcrest Avenue and King George Post Road for the Township of Edison; and

WHEREAS, funds in the amount of \$7,662.10 for this thermal plastic striping is available in the Streets and Other Contractual Items Account, Number 2-01-26-0290-000-029; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Township is hereby authorized to make payment to the Middlesex County Treasurer, Apple Orchard Lane, PO BOX 7356, North Brunswick \$7,662.10, as set forth above.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$7,662.10** are available for the above in Account No. **2-01-26-0290-000-029**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.726-112013

RESOLUTION AUTHORIZING A REIMBURSEMENT TO BERTOSE THOMAS FOR THE ABC PROGRAM

WHEREAS Bertose Thomas, made a payment in the amount of \$260.00 for her child Beth Lissa Mondestin’s participation in the ABC Program at Lindeneau Elementary School; and

WHEREAS Community Child Care Solutions will be making the monthly payments in the full amount due for Beth Lissa Mondestin’s participation in the ABC Program; thereby causing an overpayment by Bertose Thomas.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$260.00 to Bertose Thomas, 132 Marina Dr., Apt. K, Edison, NJ 08817, which amount represents the overpayment for the ABC program

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$260.00 are available in Account #3-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.727-112013

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
TANAK PATEL FOR THE YAP PROGRAM**

WHEREAS Tanak Patel, made a payment of \$25.00 for the registration fee for her child Megha Vijay Patel’s participation in the morning YAP Program at John Adams Middle School;

WHEREAS there are no morning YAP programs at any Middle School;

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 Tanak Patel, 1978 Oak Tree Rd., Edison, 08820, which amount represents the registration fee.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$25.00 are available in Account #3-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.728-112013

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO S&S WORLDWIDE FOR THE
FURNISHING OF ART SUPPLIES AND HANDICRAFTS**

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, S&S WORLDWIDE, 75 Mill Road, Colchester, CT 06415 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$13,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$13,000.00 by S&S WORLDWIDE, 75 Mill Street, Colchester, CT 06415 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$13,000.00, and any other necessary documents, with S&S WORLDWIDE.
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.729-112013

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ECONOMY HANDICRAFTS
INCORPORATED FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS**

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, ECONOMY HANDICRAFTS, 932 46th Street, Brooklyn, NY 11219 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

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

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$30,000.00 by ECONOMY HANDICRAFTS, 932 46th Street, Brooklyn, NY 11219 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, and any other necessary documents, with ECONOMY HANDICRAFTS.
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.730-112013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CREATIVE ARTWORKS FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, CREATIVE ARTWORKS, 3911 Pine Meadows Lane, Allentown, PA 18104 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$6,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$6,000.00 by CREATIVE ARTWORKS, 3911 Pine Meadows Lane, Allentown, PA 18104 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$6,000.00, and any other necessary documents, with CREATIVE ARTWORKS.

The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.731-112013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO QUILL CORPORATION FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, QUILL CORPORATION, 100 Schelter Road, Lincolnshire, IL 60069 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,500.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$1,500.00 by QUILL CORPORATION, 100 Schelter Road, Lincolnshire, IL 60069 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,500.00, and any other necessary documents, with QUILL CORPORATION.
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.732-112013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONSTRUCTIVE PLAYTHINGS FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, CONSTRUCTION PLAYTHINGS, 13201 Arrington Rd., Grandview, MO 64030 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$1,000.00 by CONSTRUCTION PLAYTHINGS, 13201 Arrington Rd., Grandview, MO 64030 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,000.00, and any other necessary documents, with CONSTRUCTIVE PLAYTHINGS.
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.733-112013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO LAKESHORE LEARNING FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, LAKESHORE LEARNING, 2695 E. Dominguez St., Carson, CA 90895 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$1,000.00 by LAKESHORE LEARNING, 2695 E. Dominguez St., Carson, CA 90895 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,000.00, and any other necessary documents, with LAKESHORE LEARNING.
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.734-112013

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SCHOOL SPECIALTY INC.
FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS**

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, SCHOOL SPECIALTY INC., 140 Marble Drive, Lancaster, PA 17601 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$1,000.00 by SCHOOL SPECIALTY INC., 140 Marble Drive, Lancaster, PA 17601 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,000.00, and any other necessary documents, with SCHOOL SPECIALTY INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.735-112013

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO NASCO FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS

WHEREAS, bids were received by the Township of Edison on August 21, 2013 for Public Bid No. 13-03-05, Art Supplies and Handicrafts; and

WHEREAS, NASCO, 901 Janesville Avenue, PO Box 901, Fort Atkinson, WI 53538-0901 submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$1,500.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid in the amount of \$1,500.00 by NASCO, 901 Janesville Avenue, PO Box 901, Fort Atkinson, WI 53538-0901 for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$1,500.00, and any other necessary documents, with NASCO.
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.736-112013

Explanation: A Resolution awarding the sale of a Plenary Retail Distribution Liquor License to Rupen Patel in the amount of \$801,999.00.

WHEREAS, pursuant to Resolution R.505-092013 and in conformance with the New Jersey Alcoholic Beverage Control Act and related regulations, and the Township Code, the Township Council authorized the sale of one (1) Plenary Retail Distribution Liquor License; and

WHEREAS, as required by, and in accordance with, Resolution R.505-092013, the New Jersey Alcoholic Beverage Control Act and related regulations, and the Township Code, bid specifications and related documents were prepared, a notice was published in the newspaper, and bids were received; and

WHEREAS, five (5) bid packages were obtained by prospective bidders and two (2) bids were received on Thursday, November 14, 2013 at 1:00 p.m. and both bids were found to be in compliance with the bid application requirements; and

WHEREAS, on Tuesday, November 19, 2013 at 1:00 p.m. the bids were opened and found to be in compliance with the bid requirements with one bid in the amount of \$659,999.99 and the second in the amount of \$801,999.00, both the appropriate 20% bid deposit; and

WHEREAS, the Township Council now wishes to award the bid to Mr. Rupen Patel with the highest conforming bid of \$801,999.00.

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

1. The Township of Edison hereby awards a Plenary Retail Distribution Liquor License to Rupen Patel in the amount of \$801,999.00 conditioned upon meeting the requirements of Resolution R.505-092013, the New Jersey Alcoholic Beverage Control Act and related regulations, and the Township Code, bid specifications and related documents.
2. The bid deposit of the second bidder shall not be deposited and shall be promptly returned.
3. Rupen Patel's 20% bid deposit of \$160,399.80 shall be deposited and the balance of the purchase of \$641,599.20 shall be paid to the Township of Edison not later than 30 days being Thursday, December

26, 2013. In the event of a default or breach of promise, all deposit monies shall be forfeited to the Township.

4. The successful bidder, Rupen Patel, shall tender payment of all required State and Local Application Fees and License Fees.

5. The issuance of the license to the successful bidder, Rupen Patel, shall be contingent upon the satisfactory outcome of municipal background checks to investigate the source of funds used to purchase the license, the receipt of favorable State and/or Federal criminal background checks; and the compliance with the publication, hearing (if there are objections), and Resolution requirement under N.J.A.C. 13:2 et seq. for the issuance of a new license.

6. The Clerk shall transmit the original copy of the 12-page ABC application (long form) to the Police Division with photocopies of the remainder of the bid documents, including the bid deposit check, and a certified copy of this Resolution.

7. The successful bidder, Rupen Patel, must comply with all ordinances of the Township of Edison, State laws and regulations in locating the license.

RESOLUTION R.737-112013

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO FIRST PRIORITY EMERGENCY VEHICLES FOR THE PURCHASE OF TWO (2) CUSTOM BUILT WOOD COMMAND CABINETS FOR THE DIVISION OF FIRE

WHEREAS, quotes were solicited by the Division of Fire for two (2) Custom Built Wood Command Cabinets; and

WHEREAS, FIRST PRIORITY EMERGENCY VEHICLES, 2444 Ridgeway Blvd., Bldg. 500, Manchester, NJ 08759 submitted the lowest quote in the amount of \$5,828.00 (\$2,914.00 each); and

WHEREAS, the maximum amount of the purchase shall not exceed \$5,828.00; and

WHEREAS, funds in the amount of \$5,828.00 have been certified to be available in the Fire Prevention Motor Vehicle Parts & Accessories Account, No. 3-01-25-0265-002-034; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. All quotes have been reviewed, and the quote submitted by **FIRST PRIORITY EMERGENCY VEHICLES**, 2444 Ridgeway Blvd., Bldg. 500, Manchester, NJ 08759 for the purchase of two (2) Custom Built Wood Command Cabinets for the Division of Fire is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,828.00, and any other necessary documents, with **FIRST PRIORITY EMERGENCY VEHICLES** as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,828.00** are available for the above in Account No. **3-01-25-0265-002-034**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.738-112013

***Federal Highway Safety Fund 2014
Grant Approval***

WHEREAS, the Division of Police has been approved for grant funding in the amount of \$25,500.00 to provide additional manpower hours for speed enforcement as well as to combat distracted driving and to purchase speed enforcement equipment; and

WHEREAS, an enforcement crackdown is planned to reduce violations related to speeding and distracted driver’s to reduce the number of crashes and potential fatalities related to these offenses; and

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

WHEREAS; the project will involve increased enforcement from October 1, 2013 through September 30, 2014; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its acceptance of the grant monies and participation in the Federal Highway Safety Fund Grant Program 2014.

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

RESOLUTION R.739-112013

EXPLANATION: This resolution provides for refund of a fee for a replacement solid waste container.

WHEREAS, on August 14, 2012, a check #705 was posted in the total amount of \$60.00 by Estelle Levy, resident, residing at 56 Wilk Road, Edison, NJ for replacement of a solid waste container; and

WHEREAS, Estelle Levy, resident, at 56 Wilk Road, Edison, NJ, reported to the Division of Sanitation, Department of Public Works, the solid waste container assigned to her residence was missing/stolen and she wished to purchase a replacement; and

WHEREAS, on August 14, 2012, replacement fee, check #705, was received and posted in the total amount of \$60.00 by the resident; and

WHEREAS, after receipt of check, a replacement can was delivered to Estelle Levy, at 56 Wilk Road, Edison, NJ by the Division of Sanitation, Department of Public Works; and

WHEREAS, the original container assigned to her property was found and returned to the resident by the Division of Sanitation, Department of Public Works; and

WHEREAS, the Director of Public Works recommends refund of the solid waste replacement container fee, to Estelle Levy, 56 Wilk Road, Edison, NJ in the amount of \$60.00;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$60.00 for solid waste container replacement fee posted by Estelle Levy, resident of 56 Wilk Road, Edison, NJ;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$60.00 to the Resident, Estelle Levy of 56 Wilk Road, Edison, NJ.

RESOLUTION R.740-112013

DRIVE SOBER OR GET PULLED OVER 2013 Year End Statewide Crackdown

Grant Approval

WHEREAS, the Division of Police has been approved for grant funding in the amount of \$4,400.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2010, 20% of fatalities from traffic accidents in New Jersey were alcohol related; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

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

WHEREAS, the project will involve increased enforcement from December 6, 2013 through January 2, 2014; and

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

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to accept the Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown Grant between December 6, 2013 – January 2, 2014 and pledges to increase awareness of DWI Laws.

11/26/13

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

RESOLUTION R.741-112013

RESOLUTION REJECTING ALL BIDS FOR HUMAN RESOURCES AND PAYROLL INFORMATION DATABASE SYSTEM

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on October 25, 2013, for Public Bid No. 13-10-20, Human Resources and Payroll Information Database System with a bid opening date of November 22, 2013; and

WHEREAS, there were three bidders all of whom are being rejected for the following reasons; and

WHEREAS; Edmunds and Associates failed to submit a Bid Bond or Consent of Surety; and

WHEREAS; Automatic Data Processing, Inc. failed to submit a Consent of Surety; and

WHEREAS; UnicornHRO failed to complete the Acknowledgement of Addenda form correctly; and

WHEREAS, The Township of Edison shall rebid said project pursuant to N.J.S.A. 40A:11-1 et seq; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described.

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

1. The bids for Public Bid No. 13-10-20, Human Resources and Payroll Information Database System are hereby rejected pursuant to N.J.S.A 40A:11-1 et seq.
2. The Purchasing Agent is hereby authorized to rebid said project.

The following Resolutions will be voted upon separately:

RESOLUTION R.669-112013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT JOHN L. KRAFT, ESQ., L.L.C. 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 for the calendar year 2013; and

WHEREAS, John L. Kraft, Esq., L.L.C., 505 Thornall Street, Suite 206, Edison, NJ 08837 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 Township recommends John L. Kraft, Esq. for the position of Township Bond Counsel; and

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

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

WHEREAS; the total amount of this contract shall not exceed \$41,000.00; and

WHEREAS, John L. Kraft, Esq., L.L.C., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit John L. Kraft, Esq. from making any reportable contributions through the term of this contract; and

WHEREAS, compensation for the professional services shall be at a rate of \$400 per hour for partner, \$250 per hour for associate and \$145 per hour for legal assistant; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

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

1. The Township is hereby authorized to execute a contract and any other necessary documents, in the amount of \$41,000.00, with John L. Kraft, Esq., L.L.C., 505 Thornall Street, Suite 206, Edison, NJ 08837 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq. and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$41,000.00 are available for the above contingent upon appropriation of sufficient funds in the 2013 budget.

/s/ Janice Saponaro
Chief Financial Officer

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

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

NAYS - None

Councilmembers Lankey and Mascola were absent

COMMUNICATIONS:

- a. Letter received from Jeffrey Bender regarding Election signs.

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

ORAL PETITIONS AND REMARKS:

Council President Diehl opened the meeting for public comment.

Fred Wolke, 10 Peake Road, said that Wreaths Across America is a very worthy cause. He said a ceremony takes place at the St. James Church and there are veteran’s buried there from the French and Indian War up through Vietnam.

Council President Diehl echoed Mr. Wolke’s sentiments.

Esther Nemitz, 162B Fay Street, thanked everyone for supporting this year’s Farmer’s Market and she wished all a Happy Thanksgiving.

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

Having no further business to discuss, on a motion made by Councilmember Lombardi seconded by Councilmember Karabinchak, the meeting was adjourned at 6:47 p.m.

Robert Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk