

**AGENDA  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
Monday, March 26, 2012  
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. 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 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **APPROVAL OF MINUTES:**
  - a. Closed Session Meeting of March 12, 2012
  - b. Worksession Meeting of March 12, 2012
6. **ADMINISTRATIVE AGENDA:**  
**FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Appointments to the Fair Rental Housing Board
7. **CY 2012 SOLID WASTE BUDGET**
  - a. Introduction of the CY 2012 Solid Waste Budget
8. **REPORTS FROM ALL COUNCIL COMMITTEES:**
9. **POINTS OF LIGHT**
10. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Award of State contract for a Lanier Digital copy/scan/print system
  - b. Award of bid for Contract No. 11-10-05, Towing Services
11. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through March 22, 2012
  - b. Resolution authorizing refund in the amount of \$98,666.04 for redemption of tax sale certificates.
  - c. Resolution authorizing refund of various sewer use overpayments, totaling \$2,793.82
  - d. Resolution amending R.819-112011, tax appeal settlement
  - e. Resolution authorizing refund of various sewer use overpayments, totaling \$325.62
  - f. Resolutions authorizing release of street opening escrow
  - g. Resolution authorizing refund to Woodbridge Township.
  - h. Temporary Emergency Appropriations
  - i. Transfer of Funds
12. **FROM THE DEPARTMENT OF HEALTH:**
  - a. Resolutions authorizing refund of fees
13. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
  - a. Refund of construction permit fee
  - b. Release of cash and performance bond for Edison Raritan Investors, LLC, 1704 Woodbridge Avenue, Application #Z30-05/06
  - c. Release of cash and performance bond for Vineyard Route 27, LLC, Dunkin Donuts, Route 27, Application #Z06-06/07
  - d. Approval of the 2012 CDBG Program
  - e. Final Acceptance of Contract #10-01-28, HC Accessibility Renovations and Limited Scope Repairs for the Edison Memorial Tower Museum.

14. **FROM THE CHIEF OF FIRE:**
  - a. Award of contract for testing/inspection on SCBA equipment
15. **FROM THE CHIEF OF POLICE:**
  - a. Resolution accepting Safe and Secure Communities Program Grant
  - b. Resolution authorizing public sale of vehicles
16. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
17. **UNFINISHED BUSINESS:  
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING,  
AND FINAL ADOPTION:**

O.1795-2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP  
BANK
18. **COMMUNICATIONS:**

None
19. **DISCUSSION ITEMS:**

**Council President Karabinchak**

  - a. Tax Appeals
  - b. Oak Tree and Woodland Intersection
  - c. Edison Tower
  - d. Digital Ticketing
  - e. Capital Improvement Plan
  - f. New Control Ordinances
  - g. Green Technology (plastic bags)

**Councilmember Diehl**  
None

**Councilmember Gomez**  
None

**Councilmember Lankey**  
None

**Councilmember Lombardi**  
None

**Councilmember Mascola**  
None

**Councilmember Prasad**  
None
20. **CLOSED SESSION:**

None
21. **ADJOURNMENT**

**RESOLUTION AWARDING CONTRACT TO RICOH AMERICAS CORPORATION FOR THE  
FURNISHING OF A LANIER DIGITAL COPY/SCAN/PRINT SYSTEM FOR THE TOWNSHIP  
OF EDISON**

**WHEREAS**, there is a need to purchase a digital copy/scan/print system for the Township of Edison; and

**WHEREAS**, RICOH AMERICAS CORPORATION, 5 Dedrick Place, West Caldwell, NJ 07006, has been awarded State Contract Number 51465 under T-2075-GSA/FSS Reprographics Schedule Use Contract; and

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

**WHEREAS**, funds in the amount of \$9,427.00 have been certified to be available in the Administration-Acq Specialized Recording & Copying Office Equipment Capital Account, Number C-04-07-1565-402-001.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$9,427.00 and any other necessary documents, with RICOH AMERICAS CORPORATION, 5 Dedrick Place, West Caldwell, NJ 07006, 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. 51465 under T-2075.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MAJESTIC TOWING &  
TRANSPORT INCORPORATED FOR TOWING SERVICES**

**WHEREAS**, bids were received by the Township of Edison on October 25, 2011 for Public Bid No. 11-10-05, Towing Services, for the Township of Edison; and

**WHEREAS**, MAJESTIC TOWING & TRANSPORT INCORPORATED, 165 West Street, South Plainfield, NJ 07080, submitted the lowest legally responsible bid for various items of the bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$26,000.00, 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:

3. All bids have been reviewed, and the bid submitted by MAJESTIC TOWING & TRANSPORT INCORPORATED, 165 West Street, South Plainfield, NJ 07080 for Towing Services for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
4. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$26,000.00, and any other necessary documents, with MAJESTIC TOWING & TRANSPORT INCORPORATED, as described herein.
5. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MANDY'S  
INCORPORATED FOR TOWING SERVICES**

**WHEREAS**, bids were received by the Township of Edison on October 25, 2011 for Public Bid No. 11-10-05, Towing Services, for the Township of Edison; and

**WHEREAS**, MANDY'S INCORPORATED, 24 Vineyard Road, Edison, NJ 08817, submitted the lowest legally responsible bid for various items of the bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$36,000.00 cannot be encumbered at this time; and

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

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

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

1. All bids have been reviewed, and the bid submitted by MANDY'S INCORPORATED, 24 Vineyard Road, Edison, NJ 08817 for Towing Services for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items of the bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$36,000.00 and any other necessary documents, with MANDY'S 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.

## **RESOLUTION**

**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 \$98,666.04.

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## RESOLUTION

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 \$2793.82 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.

This Resolution amends the Resolution enacted, authorizing the settlement of tax appeals filed by Costco Wholesale #323 for tax year 2011.

**EDISON TOWNSHIP**  
**AMENDED RESOLUTION R.819-112011**

**WHEREAS**, Costco Wholesale #232, (the "Taxpayer"), the owner of property located at 205 Vineyard Road in Edison Township, County of Middlesex, and known as Block 197, Lot 9.01 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2009, 2010 and 2011 with the Tax Court of New Jersey, Docket Numbers 004026-2009, 003569-2010 and 008130-2011; and

**WHEREAS**, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Tax Appeal Attorney; and

**WHEREAS**, The Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate, and has been consulted by the attorney for the taxing district with respect to this settlement; and

**WHEREAS**, an acceptable settlement of the aforesaid tax appeals has been negotiated in which the Taxpayer agrees to settle its appeals for an assessment at the fair assessable value of the property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

**WHEREAS**, the reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

**WHEREAS**, the property was originally assessed as follows:

Land	\$4,434,700.00
Improvements	\$4,815,300.00
Total	\$9,250,000.00

**WHEREAS**, the proposed settlement provides for an assessment for the year 2011 as follows:

Year	2011
Land	\$4,434,700.00
Improvements	\$3,498,173.00
Total	\$7,932,873.00

**WHEREAS**, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals set forth above; and

**WHEREAS**, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

**WHEREAS**, pursuant to the settlement, the Taxpayer will waive prejudgment interest; and

**WHEREAS**, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Law Offices of Henry LaCap, LLC, Attorney Trust Fund" and the taxpayer, and forwarded to "Law Offices of Henry LaCap,



LLC, Crossroads Corporate Center, One International Boulevard, Suite 400, Mahwah, NJ 07495" within sixty (60) days of the date of the entry of judgment; and

**WHEREAS**, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township taxpayer's request for tax assessment reduction;

**WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund for the year 2011 of \$61,641.54.

**WHEREAS**, the original resolution enacted in connection with this property and appeal incorrectly stated that the refund amount for the year 2011 was \$58,492.41.

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

1. For the 2011 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2011
Land	\$4,434,700.00
Improvements	\$3,498,173.00
Total	\$7,932,873.00

2. Pursuant to the settlement approved herein, the Taxpayer is entitled to a refund for the year 2011 of \$61,641.54.
3. The Township of Edison is hereby authorized to refund the taxpayer for the year 2011 in the total amount of \$61,641.54; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the proper authorities, officials and employees of the Township of Edison are hereby authorized to issue refund checks as indicated above.

## RESOLUTION

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 \$325.62 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 TO RELEASE STREET OPENING**

### **ESCROW**

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000002**, to the following:

**Permit Number:** 9894

**Opening Location:** 234 Highland Ave

**Block/Lot:** 61/4.01

**Applicant's Name & Address:** LNS Contracting

347 Plainfield Ave

Edison, NJ 08817

**Initial Deposit Date:** 11/3/2010

**Deposit Amount:** \$160.00

**Paid by and refunded to:** Rictar Construction

1587 Route 27

Edison, NJ 08817

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

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000032**, to the following:

**Permit Number:** 10238

**Opening Location:** Fieldcrest Ave

**Block/Lot:**

**Applicant's Name & Address:** Highpoint Utilities

18 Northfield Dr

Sussex, NJ 07461

**Initial Deposit Date:** 8/19/2011

**Deposit Amount:** \$2,380.50

**Paid by and refunded to:** Same as applicant

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and  
WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and  
NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street

Opening Escrow Funds, under reference number **STO0000037**, to the following:

**Permit Number:** 10271

**Opening Location:** 7 Brox Road

**Block/Lot:**

**Applicant's Name & Address:** Resolve Rooter

216 West Bristol Rd

Westminster, PA 18974

**Initial Deposit Date:** 11/9/2011

**Deposit Amount:** \$480.00

**Paid by and refunded to:** Pamyla M. Brooks

22 Holly Pl

Edison, NJ 08817

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

## **RESOLUTION TO RELEASE ESCROW FUNDS**

WHEREAS, the Township Planning Board Secretary advises the following applicant has deposited Escrow Funds for Developer Escrow Fees, pursuant to Township Ordinance; and

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

NOW THEREFORE, IT IS RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the proper Township Officials are hereby authorized to release

said unused Developers Escrow Fees, under account number 7760296108, to the following:

**Developer's Name & Address:** Ziga Homes

910 Amboy Avenue

Edison, NJ 08837

**Application Number:** Concept

**Project Location:** 1685 Frank Street

**Block/Lot:** 405 / 1 & 2B

**Amount to be Refunded, plus accrued interest, if applicable:**

\$939.94

IT IS FURTHER RESOLVED by the Township Council of the Township of Edison that a certified true copy of this resolution is forwarded to the Director of Finance.

## **RESOLUTION**

**WHEREAS**, on December 2011, the State of New Jersey provided to each municipality the list of properties and the amounts that they were entitled for 2010 Homestead Benefit and instruct us to apply to first quarter taxes of 2012 (Local Finance Notice 2011-31), and in such list for Edison Township, the State of New Jersey included a 2010 Homestead benefit in the amount of \$307.20 to be applied to block 290.01 lot 4 for the benefit of Ringersma, Joanne S and Good, Robert S with address listed as 2 Peyser Street; and

**WHEREAS**, Block 290.01 lot 4 or address 2 Peyser Street does not exist in Township of Edison's Tax Assessment Maps, neither the beneficiary name appears as a owner of any property in Edison, and it was verified that such property owner, address, block, and lot belongs to Woodbridge Township; and

**WHEREAS**, Edison Township notified the proper authority of Woodbridge Township, and also notified the proper authority of the State of New Jersey, and it was agreed that the adjustment will be handled between the municipalities, and that the Township of Woodbridge would apply the adjustment to the property on their records, and that Edison Township will forward to Woodbridge Township any money that the State of New Jersey sends for the benefit of this property located in Woodbridge Township; and

**WHEREAS**, On February 2012, the State of New Jersey wired the total amount for the 2010 Homestead Benefit to Edison Township, including the \$307.20 for the property that belongs to Woodbridge Township.

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the proper authorities, officials and employees of the Township of Edison are hereby authorized to issue refund check in the amount of \$307.20 to Township of Woodbridge for the benefit of name and address described above.

**RESOLUTION AUTHORIZING A REIMBURSEMENT OF FEES TO DIANA WESTON-  
DAWKES FOR OVERPAYMENT OF TEMPORARY RETAIL FOOD LICENSE FEES**

**WHEREAS**, Diana Weston-Dawkes, made an online application for a Temporary Retail Food License along with payment in the amount of \$100.00; and

**WHEREAS**, in accordance with the Code of the Township of Edison Section 12-6.2m the appropriate fee of a Temporary Retail Food License is \$75.00.

**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 \$25.00 Diana Weston-Dawkes, 600 Yosemite Blvd., Modesto, CA 95354, which represents the amount of overpayment for Temporary Retail Food License



**RESOLUTION AUTHORIZING A REIMBURSEMENT TO LAURA GIFFORD DUPLICATE  
PAYMENT OF A RENTAL REOCCUPANCY INSPECTION FEES**

**WHEREAS** , Laura Gifford, owner of a rental unit located at 49 Dalton Place, Edison, made two (2) an online applications for an initial Rental Reoccupancy Inspection along with two payments in the amount of \$50.00 for a total of \$100.00; and

**WHEREAS**, in accordance with the Code of the Township of Edison, Section 17-1.11e, only one application and a total of \$50.00 is required for an intial Rental Reoccupancy Inspection;

**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 Laura Gifford, 49 Dalton Place, Edison, NJ 08817 which amount represents the amount of overpayment for initial Rental Reoccupancy Inspection

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO LORENE GIORDANO FOR  
OVERPAYMENT OF DOG LICENSE FEES**

**WHEREAS** , Lorene Giordano made duplicate online applications numbered 1628 and 1629 for a 2012 license for her dog “Max”, along with two payments of \$16.20 totaling \$32.40;

**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 \$16.20 to Lorene Giordano, 110 Gracey Street, Edison, NJ 08817 which amount represents the amount of overpayment for 2012 Dog License number 1093.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO WAYNE GETZ FOR MISTAKEN APPLICATION FOR A TEMPORARY FOOD LICENSE**

**WHEREAS**, Wayne Getz T/A Pocono Pickle Guy mistakenly made application and submitted a \$75.00 payment for an Edison Temporary Retail Food License when in fact the show was held at the Garden State Convention Center in Somerset; and

**WHEREAS**, no food was prepared nor sold in the Township of Edison for said consumer show;

**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 Wayne Getz, 46 Lakeside Drive, Effort, PA 18330 which amount represents the amount of overpayment for an unneeded temporary food license.

**EXPLANATION:** This resolution provides for refund of the inspection portion of the construction permit fee, less the Administrative fees, and less the 20% municipal plan review fee per the UCC, posted for a residential construction permit where inspection services were not performed.

**TOWNSHIP OF EDISON**  
**RESOLUTION**

**WHEREAS**, on April 7, 2008, a Construction (Building) Permit fee, check #1022, permit # 2008-0977, was posted in the total amount of \$2,260.00 by the builder; Edgewood Estate Builders Inc.; and

**WHEREAS**, the application was submitted to construct a new single family dwelling at 40 Edgewood Road which application was withdrawn and resubmitted as a new application which will be fully paid for after the plan review process has been completed with fully revised plans; and

**WHEREAS**, it is therefore appropriate that the municipal permit inspection fee on the withdrawn application in the amount of \$1,722.00, derived from the \$2,260.00 total construction permit fee less the \$183.00 DCA fee, less the \$50.00 CO fee, and less 20% plan review fee of \$405.00, to be refunded to the applicant; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit inspection fee, on Construction Permit #2008-0977, in the amount of \$1,722.00.00 for the referenced application where inspection services were not performed;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$1,722.00 on the inspection portion of permit fees be refunded to the builder, Edgewood Estate Builders Inc. having offices at 107 Cayuga Road, Barnegat, NJ 08005;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$1,722.00 from the Refund of Revenue Fund to the builder Edgewood Estate Builders Inc.

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, the Township Engineer advises that an inspection has been made of Edison Raritan Investors, LLC located at 1704 Woodbridge Avenue, in Block 287, Lots 1, 2A,4A and 17F, Application #Z30-05/06, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

**WHEREAS**, the Certificate of Occupancy was issued on February 8, 2010, also, the required Maintenance Bond was posted on March 12, 2012 in the amount of \$28,881.00; and

**WHEREAS**, a Cash Performance Bond Check #0232185 was posted on October 7, 2008 by Edison Raritan Investors, LLC in the amount of \$23,104.44 on deposit in Account #7760013359; and

**WHEREAS, a Cash Performance Bond Reduction was posted on June 21, 2011, Resolution #570-072011 reducing the Cash Performance Bond to \$6,931.33; and**

**WHEREAS**, a Performance Bond No.770930S of Developers Security & Indemnity Company was posted on October 7, 2008 by Edison Raritan Investors, LLC in the amount of \$207,939.36; and

**WHEREAS, a Performance Bond Reduction was posted on June 21, 2011, Resolution #570-072011 reducing the Performance Bond to \$62,381.80; and**

**WHEREAS**, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$6,931.33 plus accrued interest, if applicable, on deposit in account #7760013359 principal being Edison Raritan Investors, LLC, having offices at 8 Winchester Drive, Scotch Plains, N.J. 07076-2723 and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$62,381.80; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$62,381.80, to the applicant; and**

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$6,931.33, plus accrued interest, if applicable, on deposit in account #7760013359 to the applicant.**

**TOWNSHIP OF EDISON**

**RESOLUTION**

**WHEREAS**, the Township Engineer advises that an inspection has been made of Vineyard Rt. 27, LLC, Dunkin Donuts Drive-Up Window, Application #Z06-06/07, located at Route 27 in Block 124, Lot 20.01, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

**WHEREAS**, the Certificate of Occupancy was issued on March 7, 2011. Also, the required two-year Maintenance Bond was posted on March 8, 2012; and

**WHEREAS**, the Township Engineer, recommends the release of the Performance Bond No. B1058064 of Selective Insurance Company of America posted on October 8, 2008 in the amount of \$42,318.72 with the Township of Edison, principal being Vineyard Rt.27, LLC having offices at 8 Winchester Drive, Scotch Plains, N.J. 07076-2723 and acceptance of the subject improvements; and

**WHEREAS**, the Township Engineer, recommends the release of the Cash Performance Bond Check #023182 posted on October 8, 2008 in the amount of \$4,702.08, plus accrued interest, if applicable, on deposit in account #7760013360 with the Township of Edison, principal being Vineyard Rt. 27, LLC having offices at 8 Winchester Drive, Scotch Plains, N.J. 07076-2723, 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 Performance Bond in the amount \$42,318.72 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 \$4,702.08, plus accrued interest, if applicable, on deposit in account #7760013360 to the applicant.

**EXPLANATION: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2012 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2012 CONSOLIDATED ANNUAL ACTION PLAN**

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

**WHEREAS**, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2012 Community Development Block Grant in the estimated amount of Five Hundred Forty Nine Thousand Three Hundred Forty Two Dollars (\$549,342);

**WHEREAS**, the Township can budget a total of Five Hundred Forty Nine Thousand Three Hundred Forty Two Dollars (\$549,342) to fund eligible 2012 activities that are attached and listed as the Proposed Summary of FY12 Annual Action Plan Allocations that will be carried out during the 2012 Program Year;

**WHEREAS**, A Public Hearing was held on January 31, 2012 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2012;

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

**Section 1.** The application for the Consolidated Annual Action Plan for Fiscal Year 2012 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

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

**Section 3.** The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for Five Hundred Forty Nine Thousand Three Hundred Forty Two Dollars (\$549,342), which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY12 Annual Action Plan Allocations and listed in the 2012 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

**Section 5.** The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY12 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2012 Consolidated Annual Plan.

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

**EXPLANATION:** This resolution provides for Township Acceptance of the constructed improvements under Contract # 10-01-28: HC Accessibility Renovations and Limited Scope Repairs for the Edison Memorial Tower Museum, and this resolution also authorizes FINAL CONTRACT PAYMENT in an amount not to exceed \$2,197.40 to All Jersey Mechanical & Construction, Inc., for a total construction contract as-built cost of \$109,906.00.

**TOWNSHIP OF EDISON  
RESOLUTION**

**WHEREAS,** All Jersey Mechanical & Construction, Inc., 77 Cliffwood Avenue, 4C, Cliffwood, NJ 07721, was awarded a construction contract, funded partially through the Community Development Block Grant (CDBG) Program, through resolution R.195-042010 on April 14, 2010, in an amount not to exceed \$109,165.00, then amended through change order authorized through resolution R.469-062011, on June 22, 2011, in a revised contract amount not to exceed \$109,906.00, for Contract # 10-01-28: HC Accessibility Renovations and Limited Scope Repairs for the Edison Memorial Tower Museum, in the Township of Edison, Middlesex County, New Jersey; and

**WHEREAS,** the Township Engineer has reviewed the project with the CDBG Coordinator and the Township Engineer certifies that the project has been completed, and that a two-year (2-year) maintenance bond, effective from July 25, 2011, the date of substantial completion, in an amount covering 100% of the final as-built construction costs of \$109,906.00 for the project has been received by the Township of Edison, and the Township Engineer recommends project acceptance, release of the performance bond, and that final payment, including retainage, be made to All Jersey Mechanical & Construction, Inc., in an amount not to exceed \$2,197.40 for a total construction contract as-built cost of \$109,906.00, per the final invoice approved by LWDMR Architects on December 12, 2011.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the construction project, Contract # 10-01-28: HC Accessibility Renovations and Limited Scope Repairs for the Edison Memorial Tower Museum, in the Township of Edison, Middlesex County, New Jersey, is deemed accepted by the Township of Edison, subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to All Jersey Mechanical & Construction, Inc., in an amount not to exceed \$2,197.40, for a total construction contract as-built cost of \$109,906.00.



**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO FIREFIGHTER ONE FOR TESTING/INSPECTION ON SCBA EQUIPMENT FOR THE DIVISION OF FIRE**

**WHEREAS**, the Township of Edison, Division of Fire, is in need of flow testing, inspection and low air audible alarm testing on SCBA Equipment; and

**WHEREAS**, FIREFIGHTER ONE, 26 Gail Court, Suite 1, Sparta, NJ 07871 is the exclusive authorized distributor and service center of SCBA Equipment for New Jersey; and

**WHEREAS**, FIREFIGHTER ONE, will provide said testing and inspections to SCBA Equipment for a total price not to exceed \$5,070.00; and

**WHEREAS**, funds in the amount of \$5,070.00 have been certified to be available in the Fire Fighting Fire & Other Safety Equipment Account, No. 2-01-25-0265-001-056.

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$5,070.00, with FIREFIGHTER ONE, 26 Gail Court, Suite 1, Sparta, NJ 07871 as described herein.

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE  
SAFE AND SECURE COMMUNITIES PROGRAM –  
GRANT# P-4837-11**

**RESOLUTION OF ACCEPTANCE**

A RESOLUTION OF ACCEPTANCE WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Edison Township Police Department wishes to accept an allocation of funds under the Safe and Secure Communities Program; and

WHEREAS, the Township of Edison has submitted the application and has been approved, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government, for the purposes described in the original application;

THEREFORE, BE IT RESOLVED by the Edison Township Municipal Council that

1. As a matter of public policy the Applicant's Unit of Government wishes to accept the grant under the guidelines set forth by the Department of Law and Public Safety.
2. The Attorney General of New Jersey has received funds on behalf of the Applicant.
3. The Division of Criminal Justice was responsible for the receipt and review of the original application for said funds.
4. The Division of Criminal Justice shall initiate allocations in the amount of \$8,617.28 to the applicant as authorized by law.

**A RESOLUTION AUTHORIZING A PUBLIC SALE PURSUANT TO N.J.S.A. 39:10A – ET. SEQ. OF THIRTY (39) VEHICLES THAT WERE FOUND ABANDONED AND WERE RECOVERED BY THE EDISON POLICE DEPARTMENT**

**WHEREAS**, in accordance with N.J.S.A. #9:10a-1 et seq. the Edison Police Department regularly has vehicles towed that were found abandoned throughout the Township of Edison; and

**WHEREAS**, the vehicles that are not recovered by the owners become the property of the Township of Edison and it is necessary to conduct a public sale to dispose of said vehicles.

**NOW, THEREFORE, BE IT REOLVED**, by the Edison Township Municipal Council that the appropriate township officials are hereby authorized and directed to advertise the public sale of vehicles that were found abandoned throughout the Township of Edison, not recovered by the owners, and have become the property of the Township of Edison

**ORDINANCE O.1795-2012**

**CALENDAR YEAR 2012**

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Edison in the County of Middlesex, N.J. finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$996,904.43 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Edison in the County of Middlesex, N.J. , a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$3,399,165350, and that the CY 2012 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.