

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION AND REGULAR MEETING  
May 22, 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 6:09 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Lombardi and Mascola.  
Councilmember Prasad entered at 6:16 p.m.

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

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date. An additional notice was sent on April 1, 2013 combining the meeting.

**4. REVIEW OF MINUTES**

a. and b. Accepted as submitted

**5. 2013 CALENDAR YEAR MUNICIPAL BUDGET:**

a. and b. No comments were made.

**6. REPORTS FROM ALL COUNCIL COMMITTEES:**

Councilmember Lankey reported that the Finance Committee will present a final amendment to the budget.

**7. POINTS OF LIGHT:**

Council President Diehl invited everyone to attend the Memorial Day Parade that will begin at 12:00 noon on Amboy Avenue,

Councilmember Mascola said he attended the Edison Sheltered Workshop annual awards dinner. He said it was an exciting and very enjoyable evening.

Councilmember Gomez said he attended the 200 Club award ceremony to honor Police and Fire. He said some of our employees received merit and valor awards.

**8. FROM THE BUSINESS ADMINISTRATOR:**

a. Councilmember Mascola asked for more detail on this.

Ms. Ruane explained that this is to do medical transport.

**9. FROM THE DEPARTMENT OF FINANCE:**

a. through d. No comments were made.

**10. FROM THE DEPARTMENT OF HEALTH:**

a. Council President Diehl asked for an explanation.

Mr. Elliot explained the funding.

b. and c. Mr. Elliot explained that this is for Edison Family day. He gave a history on family day and how they have combined with the Edison Chamber of Commerce.

**11. FROM THE DEPARTMENT OF LAW:**

a. and b. Council President Diehl asked for an explanation.

Mr. Kemm gave an explanation of the project.

c. Mr. Kemm explained that he is working with Councilmember Karabinchak to revise this for the next meeting.

d. and e. These were added at the meeting. No comments were made.

**12. FROM THE LIBRARY:**

a. No comment was made.

**13. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

a. No comment was made.

**14. FROM THE DEPARTMENT OF PUBLIC WORKS:**

a. No comment was made.

**15. FROM THE DEPARTMENT OF RECREATION:**

a. No comment was made.

**16. FROM THE CHIEF OF FIRE:**

a. No comment was made.

**17. FROM THE CHIEF OF POLICE:**

a. through c. No comments were made.

**18. FROM THE TOWNSHIP CLERK:**

a. No comment was made.

**19. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

Councilmember Lombardi said there was a meeting on May 13<sup>th</sup>. There was one application for a subdivision and it was approved. He said there will be a special meeting on May 20<sup>th</sup> for the Kilmer property.

**20. UNFINISHED BUSINESS:**

**ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:**

O.1833-2013 No comment was made.

O.1834-2013 No comment was made.

O.1835-2013 No comment was made.

**21. COMMUNICATIONS:**

a. and b. Accepted as submitted.

c. Councilmember Prasad added an email inviting the Council to the Edison playhouse.

**22. DISCUSSION ITEMS:**

**Council President Diehl:**

a. He said the Edison Valley Playhouse is a wonderful experience. It is worth the price of admission. It is very professional and he has never been disappointed and best of all it is right here in Edison.

**Councilmember Gomez**

None

**Councilmember Karabinchak:**

a. through c. No comments were made.

He said he will speak about the overlay zone at the Chamber of Commerce.

**Councilmember Lankey:**

None

**Councilmember Lombardi:**

None

**Councilmember Mascola:**

a. He asked Ms. Ruane for an update on the Landfill closure.

Ms. Ruane said she will get back to him.

**Councilmember Prasad:**

None

**CLOSED SESSION:**

The Council retired to Closed Session at 6:31 p.m., on a motion made by Councilmember Karabinchak, seconded by Councilmember Prasad and duly carried. The Township Clerk read the following Resolution into the record:

**CLOSED SESSION RESOLUTION**

**WHEREAS**, Article VI of the Open Public Meetings Act provides that a public body may hold a closed session; and

**WHEREAS**, the Township Council will during this meeting enter into discussion of the following matters:

- 1) Litigation

**WHEREAS**, the matters to be discussed in closed session are to remain in the strictest of confidence by all Council Members in furtherance of their fiduciary duties to the Township of Edison;

**NOW, THEREFORE, BE IT RESOLVED**, matters discussed at this meeting will be released to the public when the reasons for discussing and acting upon them in closed session no longer exists.

The Council returned from Closed Session at 7:23 p.m. on a motion made by Councilmember Lankey, seconded by Councilmember Prasad and duly carried.

On a motion made by Councilmember Lankey, seconded by Councilmember Prasad, with all in favor, the meeting was reconvened at 7:23 p.m.

### **APPROVAL OF MINUTES**

On a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak and duly carried, the Minutes of the Combined Meeting of April 10, 2013 Worksession Meeting of May 6, 2013 were accepted as submitted.

### **COUNCIL PRESIDENT'S REMARKS**

Council President Diehl welcomed everyone to tonight's meeting.

### **2013 CALENDAR YEAR MUNICIPAL BUDGET**

Council President Diehl opened the meeting for public comment on the 2013 Calendar year Municipal Budget Amendment.

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

A motion was made by Councilmember Lankey, seconded by Councilmember Lombardi, to adopt the 2013 Calendar year Municipal Budget Amendment.

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

NAYS – None

Councilmember Lankey said a second budget amendment is being introduced this evening and a detailed report will be given at the next meeting.

TOWNSHIP OF  
EDISON  
MIDDLESEX  
COUNTY, NEW  
JERSEY

RESOLUTION TO  
AMEND BUDGET

WHEREAS, the local municipal budget for the year 2013 was approved on the 13th day of March, 2013, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

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

WHEREAS, it is desired to further amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, that the following amendments

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	Diehl	(	(
(Insert last names)	Gomez	(	(
	Karabinchak	(	
	Lankey		<u>Absent</u>
	Lombardi		(
	Mascola		(
to the approved budget of 2013 be made:	Dr. Prasad		

**CURRENT FUND  
APPROPRIATION**  
**S**

**(A) Operations - within "CAPS"**

Township			
Clerk			
Salaries & Wages	174,076.00		164,076.00
Other Expenses	67,474.00		167,474.00
Department of Finance			
Other Expenses	652,257.00		612,257.00
Division of Public Buildings and Grounds			
Other Expenses			
Heat, Light & Power	1,021,469.00		946,469.00
Fire Hydrant Service	1,508,336.00		1,433,336.00
Uniform Construction Code-Construction Official Salaries & Wages	<u>1,012,784.00</u>		<u>1,112,784.00</u>
	<u>88,429,717.1</u>		<u>88,429,717.1</u>
<b>Total Operations {Item 8(A)} within "CAPS"</b>	<u>9</u>		<u>9</u>
<b>Total Operations Including Contingent</b>			
<b>within "CAPS"</b>	<u>88,479,717.1</u>		<u>88,479,717.1</u>
	<u>9</u>		<u>9</u>

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2013 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S. 40A: 4-9, be published in The Home News Tribune in the issue of May 25, 2013 and that said publication contain notice of public hearing on said amendment to be held at 100 Municipal Blvd. on June 12, 2013, at 7:00 o'clock p.m.

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

AYES – Councilmembers Gomez, Karabinchak, Lankey, Lombardi, Mascola, Prasad and Council President Diehl

NAYS - None

**RESOLUTIONS OF RECOGNITION**

The following Resolution of Recognition was read in its entirety:

**RESOLUTION R.262-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled “What is great about Edison”; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison’s footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County’s largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Balan Selva from the Grade 2 Unit of Edison Townships’ Public Schools, for his winning essay entitled “James Madison Primary”.

**RESOLUTION R.263-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled “What is great about Edison”; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison’s footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County’s largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Rudra Singh from the Grade 2 Unit of Edison Townships’ Public Schools, for his winning essay entitled “Lincoln”.

**RESOLUTION R.264-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled “What is great about Edison”; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison's footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County's largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Zainab Sohail from the Grade 2 Unit of Edison Townships' Public Schools, for her winning essay entitled "Lindeneau".

#### **RESOLUTION R.265-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled "What is great about Edison"; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on "Read Across America Day"; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison's footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County's largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Viraja Gurrupu from the Grade 2 Unit of Edison Townships' Public Schools, for his winning essay entitled "Washington".

#### **RESOLUTION R.266-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled "What is great about Edison"; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on "Read Across America Day"; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison's footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County's largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Annika Santhanam from the Grade 2 Unit of Edison Townships' Public Schools, for her winning essay entitled "Martin Luther King".

**RESOLUTION R.267-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled "What is great about Edison"; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on "Read Across America Day"; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison's footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County's largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Nicholas Linzey from the Grade 2 Unit of Edison Townships' Public Schools, for his winning essay entitled "Ben Franklin".

**RESOLUTION R.268-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled "What is great about Edison"; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on "Read Across America Day"; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison's footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County's largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Jasmin Tubio from the Grade 2 Unit of Edison Townships' Public Schools, for her winning essay entitled "John Marshall".

**RESOLUTION R.269-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled "What is great about Edison"; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison’s footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County’s largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Harini Saravana from the Grade 2 Unit of Edison Townships’ Public Schools, for her winning essay entitled “Woodbrook”.  
Council President Diehl opened the meeting for public comment on Resolution of Recognition R.269-052013

#### **RESOLUTION R.270-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled “What is great about Edison”; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and

**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison’s footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County’s largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Justin Tam from the Grade 2 Unit of Edison Townships’ Public Schools, for his winning essay entitled “Menlo Park”.

#### **RESOLUTION R.271-052013**

**WHEREAS**, Edison Township Public Schools in the Grade 2 Unit conducted a writing prompt entitled “What is great about Edison”; and

**WHEREAS**, the second grade students were provided with bound booklets created by the Civics and Justice Academy students from Edison High School which included a guide identifying Edison locations, charts and how to reflect upon their learning; and

**WHEREAS**, the second graders were also provided with a web quest designed by Edison teachers to guide the students to websites related to Edison Township and provided them with the opportunity to research their community; and

**WHEREAS**, in March, politician, civil servants, business leaders and heroes from Edison read to the second graders on “Read Across America Day”; and



**WHEREAS**, the Grade 2 Unit participated in a field trip to the Thomas Edison Center at Menlo Park where they walked in Thomas Edison’s footsteps and visited the museum and tower. They learned about the inventions Edison created in his Menlo Park laboratory and participated in hands-on activities; and

**WHEREAS**, the second half of the field trip included a visit to the Dismal Swamp, where students received a guided tour of Middlesex County’s largest continuous wetlands and the Triple C Ranch; and

**WHEREAS**, the Grade 2 Unit composed essays from their experiences on the field trip and from their classroom learning. A contest was conducted where the best essay from each school will be presented to the Edison Council and the winner will have their essay read at the Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Paule Nguetsop from the Grade 2 Unit of Edison Townships’ Public Schools, for her winning essay entitled “James Monroe”.

**RESOLUTION R.272-052013**

**WHEREAS**, Edison Township High School Civics & Justice Academy took the responsibility for constructing a workbook that was utilized by the Edison Public School District, specifically the second graders; and

**WHEREAS**, the cover page, designed by Academy student, Hannah Beal, depicts the words “Discovering Edison” in an attempt to embody all that this book is capable of – helping the younger generation “discover” the very town they live in. The topics covered are all in specific relation to Edison which includes its History, Environment, Places, Government, Education and Parks; and

**WHEREAS**, the “Discovering Edison” curriculum that the students contributed to was a technology component. The web quest was a collaborative effort between the high school students and teachers at Lincoln Elementary School. The Edison High School students were able to contact community leaders and film them for an introduction to each section of the workbook; and

**WHEREAS**, the Edison High School students were asked to assist the elementary schools on their field trips to the Edison Memorial Tower and the Dismal Swamp. The Edison High School Civics and Justice Academy students accompanied each second grade class on their trips, acting as tour guides at the various stops and providing background information, asking questions of the elementary group; and

**WHEREAS**, the Edison High School Civics and Justice Academy is currently preparing a webpage to digitally submit this public policy for recognition in the Center of Civic Educations annual Project Citizen project; and

**WHEREAS**, recognition is given to Assistant Superintendent Ann Marie Griffin-Ussak, Elementary Supervisor Cyndi Tufaro ,Edison High Social Student Supervisor Martin Malague, Student Project Manger Connor Meany, Academy Teacher Mrs. Jennifer Blevins and Edison High School Civics and Justice Academy students:

Wilfred Asamoah	Fernando Jimenez	Palak Munjal
Jonathan Baksh	Kiana Kelly	Timothy O’Donnell
Hannah Beal	Jahson Kent	Safeer Quraishi
Sarah Essa	John Lanigan	Danielle Tourikian
Michael Figueroa	Nicole Mannarino	Christian Walton
Jesse Finer	Kyle Militia	

for their countless hours of hard-work and dedication to the project; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to recognize and commend Academy Teacher Mrs. Jennifer Blevins and all the named students of the Edison Township High School Civics and Justice Academy, for their construction of the Discovering Edison workbook.

Council President Diehl opened the meeting for public comment on Resolution of Recognition R.262-052013 through R.272-052013

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

This Resolution was presented by Council President Diehl.

Council President Diehl read one of the winning essays. He said how wonderful that this was written by a second grade student. He said all the children did a fantastic job and he thanked and congratulated everyone involved.

Bob Spiegel said it is wonderful to come and see this and he thanked all the students involved.

Leonard Sendelsky, said on behalf of the Edison Tower Committee he thanked the Council for recognizing all the students and volunteers involved in this project. He handed out Edison Tower pins to all the students.

Councilmember Lankey echoed everything that was said and added it's great to see the Township working together.

Councilmember Lombardi congratulated all involved in the project.

A motion was made by Councilmember Prasad, seconded by Councilmember Mascola, to adopt Resolutions of Recognition R.262-052013 through R.272-052013

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

NAYS - None

**UNFINISHED BUSINESS**  
**ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinances, which were introduced by Title on May 8, 2013, passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

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

(The above Ordinance O.1833-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1833-2013

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

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

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

NAYS - None

**O.1834-2013**                      **AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EDISON TO ENTER INTO A LEASE AGREEMENT WITH THE EDISON WETLANDS ASSOCIATION, INC. FOR THE USE OF BLOCK 594-B, LOT 1 OWNED BY THE TOWNSHIP.**

(The above Ordinance O.1834-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1834-2013

Hearing no comments, on a motion made by Councilmember Mascola, seconded by Councilmember Lankey, 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, Lankey, Lombardi, Mascola, Prasad, and Council President Diehl

NAYS - None

**O.1835-2013**

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

(The above Ordinance O.1835-2013 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1835-2013

Walter Stochel, 2118 Oak Tree Road, read a letter from the Open Space Committee to the Council urging them to reject this Ordinance. They have reviewed the Open Space Trust Fund from 2006 to the present. He said the debt service has increased each year which is very unusual. He said from 1998 to the present, the Council has never approved a Green Acres loan. The loans pre-date the one cent Open Space tax. It is being used for loans that occurred before the one cent tax was imposed. He felt the Council should not pass this Ordinance until they receive a proper accounting.

Council President Diehl said the Open Space Committee will have a meeting on June 6<sup>th</sup> to answer questions.

Bob Spiegel, Tyler Road, asked if this includes the half million dollars the Edison Wetlands gave to the Township for the CIC site.

Jane Tousman, 14 Butler Road, said she filed an OPRA request regarding the bonds to buy Open Space and it is overdue.

Council President Diehl said he will add her questions to the list for the Open Space Committee.

Bruce Diamond, Calvert Avenue, said we either spent more money than we had or it was misappropriated. He felt we need an outside audit of the account as it is the resident's money and this is troubling.

Frank Greco, 10 Maida Road, said he agrees with what Mr. Stochel said in his letter and we should table this Ordinance.

Esther Nemitz, 162B Fay Street, said they have been asking for this information for four year and they have finally put together what they think is going wrong. She said she put in an OPRA request for an accounting of all the money in and out of the Trust Fund to find out what is going on with our money.

Fred Wolke, 10 Peake Road, said at the last meeting he was told that the CFO is the trustee for the Open Space Trust Fund and he felt they should have all the records past and present.

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

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

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

NAYS - None

**NEW BUSINESS**

**PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, JUNE 12, 2013)**

The following Ordinance was introduced by title:

**O.1837-2013**

**AN ORDINANCE AUTHORIZING A RIGHTS OF WAY USE AGREEMENT WITH FIRBER TECHNOLOGIES NETWORKS, LLC FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES.**

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on June 12, 2013.

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

NAYS - None

## **PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.273-052013 through R.297-052013.

Lois Wolke, 10 Peake Road, on Resolution R.297-052013, she questioned if this was for Cablevision.

Mr. Kemm said “no” this is not Cablevision.

Walt Shneer, Park Way, questioned Resolution R.281-052013. He asked for an explanation on what is happening with EMS.

Ms. Ruane said we are outsourcing paid EMT services to JFK hospital.

Mr. Shneer asked if people will lose their jobs.

Ms. Ruane said JFK hospital will offer employment to all our paid EMT employees.

Mr. Shneer asked for an explanation of Resolutions R.292-052013 and R.293-052013.

Mr. Kemm explained that this is for a tax abatement agreement and there are two of them because they are for two separate entities.

Jim Walsh, 8 Yuro Drive, spoke on Resolution R.281-052013. He asked if this is a substantial savings and if the Township is operating in the red.

Ms. Ruane said “yes” we are operating in the red.

Robert Yackel, 25 Dellwood Road, spoke on Resolution R.281-052013. He said EMS is falling apart since Fire Rescue was taken out of service. It is in such disarray that Administration has no choice but to do this. He felt Administration talks to no one and they do whatever they want to do.

Bruce Diamond, Calvert Avenue, asked on Resolutions R.292-052013 and R.293-052013, who pays for the tax abatement. He said how we will know how many children there are per unit. He asked where we go to get the truth.

Mr. Kemm said under the PILOT, the full payment stays with the Township. He said the number of children per unit is based on the industry average.

Jane Tousman, 14 Butler Road, said the Planning Board allowed this to be a minor subdivision with no environmental assessments. She said variances for sidewalks and parking are still undecided. She felt this is a bad plan.

Charles Tomaro, Waverly Drive East, on Resolutions R.292-052013 and R.293-052013, said the County will lose the taxes but they are committed to this project. He felt the Council should support this and move this forward. This is for a fifteen year tax abatement which has been done before.

Esther Nemitz, 162B Fay Street, said she did not see any time frame for the abatements in the agreements on Resolutions R.292-052013 and R.293-052013.

Mr. Albert, the Albert Group, thanked the Council. He said all their input has only helped to improve the job.

Lois Wolke, 10 Peake Road, said she has a problem with the number of students. She also asked if we have the deeds in hand.

Mr. Kemm said the deeds are in final review and need some minor changes.

Ms. Wolke asked how we can move forward without the deeds.

Mr. Kemm said the Resolutions on tonight are for the tax abatement only.

Ray Koperwhats, Deerwood Road, said we do not need the deeds in order to move this forward. As far as the number of children is concerned, no one has a crystal ball.

Madeline Cook, Edison Housing Authority, said she hopes there is a positive outcome this evening and they can break ground in December.

Fred Wolke, 10 Peake Road, asked if there will be a preference for veterans.

Mr. Kemm said “yes”.

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

Councilmember Lankey requested that Resolution R.273-052013 and R.281-052013 be pulled for separate vote.

Council President Diehl requested that Resolution R.292-052013 and R.293-052013 be pulled for separate vote.

The following Resolutions R.274-052013 through R.280-052013 and Resolutions R.282-0520136 through R.291-052013 and Resolution R. 294-052013 through R.297-052013 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Lankey

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

NAYS - None

#### **RESOLUTION R.274-052013**

**WHEREAS**, New Dover United Methodist Church, 687 New Dover Road, Edison, NJ, has requested a waiver of any and all permit and/or application fees concerning the improvement to their building and

**WHEREAS**, under the building code, New Dover United Methodist Church, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

**WHEREAS**, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by New Dover United Methodist Church.

#### **RESOLUTION R.275-052013**

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

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

**WHEREAS**, the PSE&G Foundation has grant funds available, through its FY13 Community Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities PSE&G serves, for which it continues to solicit on-line requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$1,000 from the PSE&G Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, May 22, 2013.

#### **RESOLUTION R.276-052013**

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

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

**WHEREAS**, the Wal-Mart Foundation has grant funds available, through its FY13 Local Store Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Allstate Insurance serves, for which it continues to solicit on-line requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$1,000.00 from the Wal-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, May 22, 2013.

#### **RESOLUTION R.277-052013**

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

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

**WHEREAS**, the Allstate Foundation has grant funds available, through its FY13 Agency Hands In The Community Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Allstate Insurance serves, for which it continues to solicit on-line requests; and

**WHEREAS**, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$1,000.00 from the Allstate Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, public meeting on the evening of Wednesday, May 22, 2013.

#### **RESOLUTION R.278-052013**

##### **RESOLUTION APPROVING ACCEPTANCE OF THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM MAY 20 – JUNE 2, 2013.**

**WHEREAS**, there were 591 vehicle fatalities in New Jersey in 2012; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 – 2000; and

**WHEREAS**, Edison Township will participate in the nationwide Click It or Ticket seat belt mobilization from May 20 – June 2, 2013 in an effort to raise awareness and increase seat belt usage from 88.29% to 90% through a combination of enforcement and education; and

**WHEREAS**, a further increase in seat belt usage in Edison and the State of New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED** that the Township of Edison declares its acceptance of the available grant funding of \$4,000 to support the *Click It or Ticket* safety belt mobilization program from May 20 – June 2, 2013.

**RESOLUTION R.279-052013**

**RESOLUTION APPROVING PARTICIPATION IN 2013 FEDERAL BULLETPROOF VEST PARTNERSHIP**

**WHEREAS**, the Federal Bulletproof Vest Partnership is designed to provide matching funds to purchase valuable lifesaving equipment to local law enforcement officers; and

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

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

**THEREFORE, BE IT RESOLVED** that the Township of Edison wishes to participate to in the Federal Bulletproof Vest Partnership through the Office of Justice Programs-Bureau of Justice Assistance in a matching funds grant not to exceed \$26,000.00.

**RESOLUTION R.280-052013**

**EXPLANATION:** This Resolution authorizes the Township Council to grant permission to Garden State Fireworks to discharge fireworks for an Independence Day Celebration at the Plainfield Country Club, scheduled for July 3, 2013 with a rain date of July 5, 2013.

**WHEREAS**, Garden State Fireworks has applied to the Township of Edison for a permit to discharge fireworks on July 3, 2013 with a rain date of July 5, 2013, for an Independence Day Celebration taking place at the Plainfield Country Club; and

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

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

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

1. The Township Council does hereby grant permission for Garden State Fireworks to conduct a fireworks display on the evening of July 3, 2013 With a rain date of July 5, 2013 at approximately 8:30 p.m. on the grounds of the Plainfield Country Club in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Official shall not issue the fireworks permit until **1.**a permit fee in the amount of \$331.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Garden State Fireworks posts a bond in the amount of \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Garden State Fireworks post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or The Fire Official shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township clerk of Edison Township is directed to forward a copy of this Resolution to Garden State Fireworks, the Fire Prevention Bureau, Division of Fire and Division of Police.

**RESOLUTION R.282-052013**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO TOTAL VIDEO PRODUCTS INCORPORATED FOR PHOTOGRAPHY/VIDEO EQUIPMENT AND SUPPLIES**

**WHEREAS**, bids were received by the Township of Edison on April 9, 2013 for Public Bid No.13-02-14, Photography/Video Equipment and Supplies, for the Township of Edison; and

**WHEREAS**, TOTAL VIDEO PRODUCTS INCORPORATED, 414 Southgate Court, Mickleton, NJ 08056, submitted the lowest legally responsible, responsive bid for various items of the bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$25,000.00, 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 TOTAL VIDEO PRODUCTS INCORPORATED, 414 Southgate Court, Mickleton, NJ 08056 for Photography/Video Equipment and Supplies 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 \$25,000.00 and any other necessary documents, with TOTAL VIDEO PRODUCTS INCORPORATED as described herein.

#### **RESOLUTION R.283-052013**

#### **RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO W.B. MASON COMPANY INCORPORATED FOR OFFICE SUPPLIES**

**WHEREAS**, bids were received by the Township of Edison on April 9, 2013 for Public Bid No.13-12-04, Office Supplies, for the Township of Edison; and

**WHEREAS**, W.B. MASON COMPANY INCORPORATED, 59 Centre Street, Brockton, MA 02303, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$85,000.00, 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 W.B. MASON COMPANY INCORPORATED, 59 Centre Street, Brockton, MA 02303 for Office Supplies for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$85,000.00 any other necessary documents, with W.B. MASON COMPANY INCORPORATED as described herein.

#### **RESOLUTION R.284-052013**

#### **RESOLUTION AUTHORIZING PURCHASES FROM BAKER AND TAYLOR FOR BOOKS FOR THE TOWNSHIP LIBRARIES**

**WHEREAS**, The Edison Township Library Board of Trustees has authorized the purchase of books from Baker & Taylor Company; and

**WHEREAS**, funds in the amount of \$29,000.00 have been certified to be available in the Free Public Library Books and Publications Account, Number 3-01-29-0390-000-033.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall authorize payment to Baker & Taylor, PO BOX 277930, Atlanta, GA 30384 in the amount not to exceed \$29,000.00.

#### **CERTIFICATION OF AVAILABILITY OF FUNDS**



I hereby certify that funds in the amount of **\$29,000.00** are available for the above in Account No. **3-01-29-0390-000-033**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.285-052013**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO PEOPLE PLEASERS OF NJ, LLC DBA NEW JERSEY PARTYWORKS FOR FURNISHING OF AMUSEMENT RIDES FOR FAMILY DAY**

**WHEREAS**, quotes were solicited by the Township of Edison for providing amusement rides for Edison Family Day on June 9, 2013; and

**WHEREAS**, People Pleasers of NJ, LLC dba New Jersey Partyworks, 1819 Rte. 35, South Amboy, NJ 08879 submitted the lowest quote to supply five (5) mechanical rides and three (3) inflatable, interactive attractions for a flat fee of \$6,477.00; and

**WHEREAS**, the maximum amount for this contract/purchase order shall not exceed \$6,477.00; and

**WHEREAS**, funds in the amount of \$6,477.00 have been certified to be available in the Reserve-Municipal Alliance Prog. Account, No. T-01-55-0279-000-000.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract/purchase order with People Pleasers of NJ, LLC dba New Jersey Partyworks, in an amount not to exceed \$6,477.00.

**CERTIFICATION**

I hereby certify that funds in the amount of \$6,477.00 are available for the above contract/purchase order in Account No. T-01-55-0279-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.286-052013**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO PARTY PERFECT RENTALS FOR FURNISHING OF AMUSEMENT RIDE FOR FAMILY DAY**

**WHEREAS**, quotes were solicited by the Township of Edison for providing amusement rides for Edison Family Day on June 9, 2013; and

**WHEREAS**, Party Perfect Rentals, 1731 Ginesi Drive, Freehold, NJ 07728 submitted the lowest quote to supply one (1) Deluxe Trackless Train; and

**WHEREAS**, the maximum amount for this contract/purchase order shall not exceed \$1,025.00; and

**WHEREAS**, funds in the amount of \$1,025.00 have been certified to be available in the Reserve-Municipal Alliance Prog. Account, No. T-01-55-0279-000-000.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate township officials are hereby authorized to execute a contract/purchase order with Party Perfect Rentals, in an amount not to exceed \$1,025.00.

**CERTIFICATION**

I hereby certify that funds in the amount of \$1,025.00 are available for the above contract/purchase order in Account No. T-01-55-0279-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.287-052013**

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

**WHEREAS**, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2012 Consolidated Annual Action Plan; and

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

**WHEREAS**, quotes were solicited by the Township of Edison for Case Number 0312; and

**WHEREAS**, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the sole quote in the amount of \$15,250.00; and

**WHEREAS**, funds in the amount of \$15,250.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-12-0510-000-001.

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

1. The sole quote has been reviewed, and the quote in the amount of \$15,250.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be the sole quote received.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$15,250.00 and any other necessary documents, with A-PLUS CONSTRUCTION as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$15,250.00** are available for the above contract in Account No. **T-14-12-0510-000-001**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.288-052013**

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO B & W CONSTRUCTION OF NJ, INCORPORATED FOR REPAIR OF SEWER FORCE MAIN AT PLAINFIELD AVENUE**

**WHEREAS**, an emergency occurred at Plainfield Avenue approximately 100' south of Brunswick Avenue where a section of the force main collapsed on March 28, 2013, causing an emergency effecting the welfare of the public; and

**WHEREAS**, upon investigation it was determined that the sewer force main needed to be repaired; and

**WHEREAS**, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

**WHEREAS, B & W CONSTRUCTION OF NJ, INCORPORATED**, PO BOX 574, South River, NJ 08882 submitted a quote in the amount of \$7,100.00; and

**WHEREAS**, funds in the amount of \$7,100.00 have been certified to be available in the Wastewater Collection System Account, Number C-08-05-0007-007-000.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order in the amount of \$7,100.00, and any other necessary documents, with **B & W CONSTRUCTION OF NJ, INCORPORATED**, for repair of the sewer force main.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$7,100.00** are available for the above contract in Account No. **C-08-05-0007-007-000**.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.289-052013**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO THE RODGERS GROUP, LLC FOR ONLINE TRAINING SOFTWARE FOR THE DIVISION OF POLICE**

**WHEREAS**, bids were received by the Township of Edison on May 3, 2013 for Public Bid No.13-04-12 - Online Training Software for the Division of Police; and

**WHEREAS**, THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract not exceed \$23,424.00, 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 THE RODGERS GROUP, LLC, P.O. Box 831, Island Heights, NJ 08732 for Online Training Software for the Division of Police, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$23,424.00 and any other necessary documents, with THE RODGERS GROUP, LLC as described herein.

**RESOLUTION R.290-052013**

**WHEREAS**, at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

**WHEREAS**, the said tax sale certificates have been redeemed thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling \$ **416,009.96**

**RESOLUTION R.291-052013**

**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 \$4,589.71 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.294-052013**

**EXPLANATION:** A Resolution directing the Clerk's Office to cease accepting, processing or issuing Taxicab Licenses while an Ordinance revising the same is being considered.

**WHEREAS**, the Township Council at its May 6, 2013 Work Session and its May 9, 2013 Council Meeting considered Ordinance O.1836-2013 making comprehensive changes to the Township Code Section 11-30 regarding the issuance of Taxicab Licenses and the regulation of the operation of Taxicabs; and

**WHEREAS**, that Ordinance was not acted upon at the May 9, 2013 Council Meeting and is being further considered by the Township Council; and

**WHEREAS**, the Township Council wishes to direct the Clerk's Office to cease accepting, processing or issuing Taxicab Licenses while the Ordinance revising the same is being considered as the Ordinance may have a substantial impact upon any License issued or being processed and the Township Council believes it could be unfair for an applicant to go through these procedures and/or obtain a License that could be impacted by the Ordinance being considered and would also avoid possibly unnecessary and/or redundant work by the Clerk's Office; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison, Middlesex County, New Jersey, that the Clerk's Office is hereby directed to cease accepting, processing or issuing Taxicab Licenses while Ordinance O.1836-2013 revising the same is being considered, however, this direction shall not operate to cease or limit the enforcement of any of the rules and regulations for existing Taxicab Licenses and/or

the operation of Taxicabs in Township Code Section 11-30 or under New Jersey law.

**RESOLUTION R.295-052013**

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR 2013**

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

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

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

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

**RESOLUTION R.296-052013**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
EDWARD GARBER FOR PUBLIC ENTERTAINMENT PERMIT**

**WHEREAS** Edward Garber made application for a public entertainment permit and payment in the amount of \$1,000.00 to hold a Major League Baseball Pitch Hit & Run Event at Papaianni Park; and

**WHEREAS** this event was cancelled; and

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$1,000.00 to Edward Garber, 1163 Inman Ave., Suite 102B, Edison, NJ 08820, which amount represents the amount of the payment.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$1,000.00 are available in Account #3-01-55-0291-000-000.

/s/ Janice Saponaro  
Chief Financial Officer

**RESOLUTION R.297-052013**

Explanation: A Resolution authorizing Fiber Technologies Networks, L.L.C to begin the installation of telecommunication lines and facilities and use of public rights of way pending the adoption of an Ordinance authorizing a Rights of Way Use Agreement.

**WHEREAS**, Fiber Technologies Networks, L.L.C. is a telecommunications company which possesses the required approval from the New Jersey Board of Public Utilities; and

**WHEREAS**, Fiber Technologies Networks, L.L.C. has requested consent from the Township pursuant to N.J.S.A. 48:2-14 to use its rights of way and an Ordinance approving the same and a Rights of Way Use Agreement has been introduced by the Council but has not yet been adopted, being Ordinance O.1837-2013; and

**WHEREAS**, the Township Council wishes to authorize Fiber Technologies Networks, L.L.C. to begin the installation of telecommunication lines and facilities and use of public rights of way pending the adoption of the Ordinance to accommodate Fiber Technologies Networks, L.L.C. and the three Edison business locations presently to be served by these lines, two of which need these lines installed by this July.

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

1. Fiber Technologies Networks, L.L.C. is hereby authorized to begin the installation of telecommunication lines and facilities and the use of public rights of way pending the adoption of the Ordinance O.1837-2013 authorizing the same; and
2. Fiber Technologies Networks, L.L.C. shall comply with the terms and conditions of the Rights of Way Use Agreement attached to Ordinance O.1837-2013 as if the same is in full force and effect.

Councilmember Lankey made a motion to add Resolution R. 297-052013 to the agenda. This motion was seconded by Councilmember Karabincahk.

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

NAYS - None

The following Resolutions will be voted upon separately:

**RESOLUTION R.273-052013**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 16, 2013

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 16, 2013

FUND	AMOUNT
Current	\$29,157,964.12
Affordable Housing	536.40
Capital	134,250.00
Cash Performance	71,088.16
CDBG	120,490.73
Developers Escrow	17,983.53
Dog (Animal Control)	571.40
Federal Forfeited	0.00
Grant Funds	2,336.75
Law Enforcement	0.00
Open Space	0.00
Payroll Deductions	444,134.62
Sanitation Fund	251,234.14
Sewer Utility	2,123,687.99
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	0.00
Trust	69,189.94
<b>TOTAL</b>	<b>\$32,393,467.78</b>

/s/ Janice Saponaro  
Chief Financial Officer

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

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

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

NAYS - None

Councilmember Lankey abstained from voting due to conflict.

**RESOLUTION R.281-052013**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE COMMUNITY HOSPITAL, INC., T/A JFK MEDICAL CENTER FOR BASIC LIFE SUPPORT SERVICES (BLS) EMERGENCY MEDICAL AND EMERGENCY TRANSPORTATION SERVICES**

**WHEREAS**, in conformance with N.J.S.A 40A:11-4.1 et seq, Resolution R.601-092012 dated September 24, 2012 authorized the use of competitive contracting for EMS Services; and

**WHEREAS**, notice for request for bids were advertised on March 25, 2013 and bids were received April 25, 2013; and

**WHEREAS**, after review and evaluation of said bids it has been recommended by the Evaluation Committee that this contract be awarded to The Community Hospital, Inc., t/a JFK Medical Center, 65 James Street, Edison, NJ 08820 in accordance with our RFP and their submittal; and

**NOW, THEREFORE, IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract with The Community Hospital, Inc., t/a JFK Medical Center for a period of two (2) years with the option for two (2) one (1) year renewals.

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

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

NAYS - None

Councilmember Lankey abstained

**RESOLUTION R.292-052013**

**Explanation:** A Resolution authorizing a tax abatement agreement with Kilmer Homes Urban Renewal I, LP regarding certain property at Camp Kilmer.

**WHEREAS**, effective November 9, 2005 the Base Closure and Realignment Commission decision to close Camp Kilmer was finalized, and on May 9, 2006 the Township of Edison was recognized by the Office of Economic Adjustment of the Department of Defense ("DOD") as the Local Redevelopment Authority ("LRA") for Camp Kilmer; and

**WHEREAS**, the Township Council, in its capacity as the LRA determined that the Notice of Interest ("NOI") received from a group known as the Camp Kilmer Collaborative dated November 3, 2006 complied with the requirements of the Enabling Acts, the regulations governing the closure and reuse planning for Camp Kilmer and the provisions dealing with the notices of interest by homeless service providers which Plan has been accepted by the Township Council and the DOD; and

**WHEREAS**, the Township Council, in its capacity as the LRA for Camp Kilmer and under the redevelopment process, approved and adopted a Reuse and Redevelopment Plan and Homeless Assistance Submission for Camp Kilmer dated January 13, 2008 ("Redevelopment Plan"); and

**WHEREAS**, by Resolution R.146-032011 dated April 13, 2011 the Council authorized the an Agreement to be submitted as a Legally Binding Agreement "LBA" pursuant to 32 C.F.R. Part 176.30(b)(3), and is a component of the homeless assistance submission ("Homeless Assistance Submission") of the LRA for the redevelopment of Camp Kilmer, as required by the Enabling Acts, and as more specifically required by 32 C.F.R. Part 176; and

**WHEREAS**, the development of this portion of Camp Kilmer, as set forth in more detail in the LBA, consists of a total of 120 units of homeless, low and moderate income housing with homeless supportive services, to be developed in two 60 unit phases being developed by Kilmer Homes Urban Renewal I, LP and Kilmer Homes Urban Renewal II, LP, respectively, and which is designated as Area 4 in the Redevelopment Plan containing 6.65 acres in current Block 3-E, Lot 3.01 to be designated as Block 3-E, Lot 3.014; and

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

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

**WHEREAS**, pursuant to the HMFA Requirements, the Mayor and Council of the Township of Edison hereby determines that there is a need for this rental housing project in the Township of Edison; and

**WHEREAS**, the Sponsor has presented to the Mayor and Council, a revenue projection of the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

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

3. The Council finds and determines that the proposed rental project will meet or meets as existing housing need;

4. The Council does hereby adopt the within Resolution and makes the determination and finding herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and

5. The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B": and

4. The Council hereby authorizes and directs the Mayor of the Township of Edison to execute, on behalf of the Municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and

5. The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

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

AYES - Councilmembers Gomez, Karabinchak, Lankey, Lombardi, Mascola, and Prasad

NAYS - Council President Diehl

### **RESOLUTION R.293-052013**

**Explanation:** A Resolution authorizing a tax abatement agreement with Kilmer Homes Urban Renewal II, LP regarding certain property at Camp Kilmer.

**WHEREAS**, effective November 9, 2005 the Base Closure and Realignment Commission decision to close Camp Kilmer was finalized, and on May 9, 2006 the Township of Edison was recognized by the Office of Economic Adjustment of the Department of Defense ("DOD") as the Local Redevelopment Authority ("LRA") for Camp Kilmer; and

**WHEREAS**, the Township Council, in its capacity as the LRA determined that the Notice of Interest ("NOI") received from a group known as the Camp Kilmer Collaborative dated November 3, 2006 complied with the requirements of the Enabling Acts, the regulations governing the closure and reuse planning for Camp Kilmer and the provisions dealing with the notices of interest by homeless service providers which Plan has been accepted by the Township Council and the DOD; and

**WHEREAS**, the Township Council, in its capacity as the LRA for Camp Kilmer and under the redevelopment process, approved and adopted a Reuse and Redevelopment Plan and Homeless Assistance Submission for Camp Kilmer dated January 13, 2008 ("Redevelopment Plan"); and

**WHEREAS**, by Resolution R.146-032011 dated April 13, 2011 the Council authorized the an Agreement to be submitted as a Legally Binding Agreement "LBA" pursuant to 32 C.F.R. Part 176.30(b)(3), and is a component of the homeless assistance submission ("Homeless Assistance Submission") of the LRA for the redevelopment of Camp Kilmer, as required by the Enabling Acts, and as more specifically required by 32 C.F.R. Part 176; and

**WHEREAS**, the development of this portion of Camp Kilmer, as set forth in more detail in the LBA, consists of a total of 120 units of homeless, low and moderate income housing with homeless supportive services, to be developed in two 60 unit phases being developed by Kilmer Homes Urban Renewal I, LP and Kilmer Homes Urban Renewal II, LP, respectively, and which is designated as Area 4 in the Redevelopment Plan containing 6.65 acres in current Block 3-E, Lot 3.01 to be designated as Block 3-E, Lot 3.014; and

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

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

**WHEREAS**, pursuant to the HMFA Requirements, the Mayor and Council of the Township of Edison hereby determines that there is a need for this rental housing project in the Township of Edison; and

**WHEREAS**, the Sponsor has presented to the Mayor and Council, a revenue projection of the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

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

1. The Council finds and determines that the proposed rental project will meet or meets as existing housing need;
2. The Council does hereby adopt the within Resolution and makes the determination and finding herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
3. The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit “B”: and
4. The Council hereby authorizes and directs the Mayor of the Township of Edison to execute, on behalf of the Municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “B”; and
5. The Council understands and agrees that the revenue projections set forth in Exhibit “A” are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

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

AYES - Councilmembers Gomez, Karabinchak, Lankey, Lombardi, Mascola and Prasad.

NAYS – Council President Diehl

#### **COMMUNICATIONS**

- a. Letters from Residents regarding Dismal Swamp
- b. Email received from Mr. Tagliaboschi regarding CIC site.
- c. Councilmember Dr. Prasad added at meeting an invitation to Valley Playhouse.

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

#### **ORAL PETITIONS AND REMARKS**

Council President Diehl opened the meeting for public comment.

Walter Shneer, Park Way, asked for a copy of the report on the signs for Meadow Road.

Councilmember Karabinchak gave him a copy of the report from Mr. Medina.

Mr. Shneer said there is vandalism occurring in the park behind the White Church.

Council President Diehl suggested that he call the Police.

Ralph Errico, Pfalsky Road, thanked the Finance Committee for their hard work in maintaining services and a zero tax increase for the past four years. He also thanked Mr. Roderman for the paving of Talmadge Road.



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

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, the meeting was adjourned at 9:41 p.m.

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Robert Diehl  
Council President

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Cheryl Russomanno  
Acting Municipal Clerk