

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

JUNE 22, 2011

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, June 22, 2011. The meeting was called to order at 7:09 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Mascola and Perilstein. Councilmember Dr. Prasad entered at 7:09 p.m.

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Acting Business Administrator Stephens, Acting Finance Director DeRosa, Health Director Elliott, Township Engineer Medina, Recreation Director Halliwell, Police Captain Pemberton, Deputy Fire Chief Latham and Cameraman Cologne.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on January 6, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.

COUNCIL PRESIDENT'S REMARKS

Council President Diehl welcomed everyone. He read an email from the Administration that stated effective at the close of business on July 1, 2011, Richard Laird will no longer be an employee of Edison. He asked if he resigned.

Mr. Stephens said "no" he was let go.

Council President Diehl said Mr. Laird was point person for the Barclays event.

Mr. Stephens said Sgt. Mintchwarner will be taking over the OEM responsibility and he will take over the Administrations responsibilities.

Council President Diehl said he heard there is only one Police Captain that comes to work on a daily basis.

Mr. Stephens said a Police Captain is out sick.

Council President Diehl said again he understands we are down to one Police Captain. Once upon a time we had eight Captains and the DCA said we should have four Captains. This Administration touted the DCA report and said the four Captains made sense. Now we have only one Captain. There is a huge disparity between eight and one. He also asked about the Captains that were demoted being promoted once retirements occur.

Mr. Stephens said we are paying two Captains every day and one is out sick.

Councilmember Mascola asked if there is an Ordinance on the books that states there should be four Captains.

Mr. Stephens said he was not familiar with this.

Mr. Kemm said there is a minimum staffing for each rank.

Council President Diehl said we had an unusual situation with the Police Chief being suspended with pay and sitting home for three months. Mr. Laird and Mr. Gonzalez initiated the suspension. He said the Mayor stated that when retirements occurred and through attrition, the employees would be promoted.

Mr. Stephens said it is up to the Mayor to decide what feels right. He said we are paying two Captains, a Deputy Chief and a Chief.

Council President Diehl asked if two Captains will walk through the door on Monday morning.

Mr. Stephens said he does not know who is going to walk through the door.

Council President Diehl said he was given information that there will not be two Captains.

Mr. Stephens said to the best of his knowledge two Captains will come in on Monday.

Councilmember Perilstein asked that the Administration supply the Council with information on how they manage disability cases in the Township and how many people are out and how much it is costing the Township.

Mr. Stephens said he will obtain this information.

RESOLUTIONS OF RECOGNITION

The following Resolutions of Recognition were read in its entirety:

RESOLUTION R.461-062011

WHEREAS, Jennifer Miele, Kathryn Lynch, Lauren Ojeda, Kristie Fan, Aesha Desai, Christine Sidhom, Miriam Thomas, Reema Shah, Rhea Manglapus, Brittany Hoops, Shruti Nadkarni and Priscilla Chen, members of the Girl Scouts of Delaware-Raritan, Troop # 80498 have obtained the highest award in Girl Scouting, namely, the Girl Scout Silver Award; and

WHEREAS, the Girl Scouts of America uses the Scout method to build self esteem and to teach values such as honesty, fairness, courage, compassion, character, sisterhood, confidence and citizenship through activities such as camping, community service, learning first aid and earning badges that can teach life skills; and

WHEREAS, in order to obtain the Silver Award, each Girl Scout had to earn the following: (i) four interest project patches, (ii) the Girl Scout Leadership pin, (iii) the Challenge, (iv) Career Exploration Pin and (v) complete a Girl Scout Silver Award project; and

WHEREAS, among the activities these young ladies have performed while members of Troop 80498 include, but are not limited to, donating and wrapping utensils for Elijah's Promise Soup Kitchen, sewn and dressed Teddy Bears for needy children, created Christmas decorations for the Children's Hospital in New Brunswick, participated in multiple drives for food, clothing, toys, school supplies, pet food, prepared Thanksgiving food boxes for needy families, spent time reading, playing games, creating crafts and serving snacks at Whispering Knolls and Brighten Gardens and caroled at the Senior Housing at Inman/Grove; and

WHEREAS, collectively, these young ladies have agreed that their proudest work has been performed in support of our U.S. Military Troops overseas. These ladies have donated their time and efforts putting together boxes of necessities for troops in Iraq, marched in Memorial Day Parades and sold and donated hundreds of boxes of Girl Scout cookies which were sent to Troops deployed in Iraq; and

WHEREAS, in addition to Scouting, these young ladies are involved in multiple extra curricular activities and perform volunteer services within the Edison Township Community.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper to honor Jennifer Miele, Kathryn Lynch, Lauren Ojeda, Kristie Fan, Aesha Desai, Christine Sidhom, Miriam Thomas, Reema Shah, Rhea Manglapus, Brittany Hoops, Shruti Nadkarni and Priscilla Chen, and their proud parents, by reason of their exemplary actions and work ethic which has earned them the rank of Silver Scout to always "Be Prepared" in facing life challenges.

RESOLUTION R.462-062011

WHEREAS, the Girl Scout tradition plays an important and valuable role in preparing young women for a life of challenges and responsibility; and

WHEREAS, the Girl Scouts of Edison/Metuchen/Highland Park can be justifiably proud of Rachel Redding and Shruti Nadkarni, who will be honored with the Girl Scout Gold Award, the girl scouting's highest honor; and

WHEREAS, Rachel Redding earned this high distinction by working on a project called "Medical Dolls for Children" at Bristol Meyers Squibb Children's Hospital where she was instrumental in children receiving homemade dolls to help them understand their surgery and give them a sense of comfort; and

WHEREAS, Sruti Nadkarni earned this high distinction by being instrumental in working on a project in conjunction with the New Jersey Academy of Family Physicians Foundation where she taught elementary students about the health dangers of smoking; and

WHEREAS, through their different projects, both Rachel and Sruti have enhanced their leadership role in the community and have helped teach important lessons to others in our community; and

WHEREAS, Rachel and Sruti are to be honored with the Girl Scout Gold Award, June 2011; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council, Township of Edison, Middlesex County, New Jersey that it is fitting and proper for this Council to honor and commend Rachel Redding and Sruti Nadkarni as they receive the Girl Scout Gold Award, by reason of their outstanding girl scout activities and leadership roles in the community.

Council President Diehl opened the meeting for public comment on Resolutions of Recognition R.461-062011 and R.462-062011.

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

Councilmember Perilstein congratulated the girls on the wonderful work they have done. She said she has the distinction of being the cookie mom and this is a wonderful organization. We need to have females in leadership roles and there are no obstacles or things they cannot do if they put their mind to it, she said. She is glad they are members of our community.

A motion was made by Councilmember Mascola, seconded by Councilmember Karabinchak, to adopt Resolutions of Recognition R.461-062011 and R.462-062011:

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

NAYS - None

This Resolution was presented by Council President Diehl. He said tonight should be a proud night. Tonight is about achievement and being recognized for that achievement. It is not easy to receive a silver or gold award. It takes a lot of work. This is among the proudest moments we have. They are the future of the Township and demonstrate great abilities. He hopes they appreciate the few moments we are spending to officially recognize and thank them as a Township for achieving their awards. He also congratulated the moms and dads and support groups.

Councilmember Karabinchak said they should be very proud. One of the most important things is that they are giving back to the community.

CALENDAR YEAR 2011 MUNICIPAL BUDGET

Council President Diehl said Councilmember Lankey is going to do a presentation. He noted that the budget will not be adopted this evening as another amendment is needed.

Councilmember Lankey thanked the members of the Finance Committee and said this could not have been completed without their contribution. He said a lot of schedules did not tie into the budget initially and they spent quite a bit of time fixing this. They tried to see trends and accuracy over the past several years. They met with the Department heads and looked at the trends. They met with the auditor for historical information. Debates were volatile and heated at times but in the end they were in agreement with the budget amendment. He said there were a handful of mandated changes by the DCA. They looked at how appropriately revenue was budgeted. He explained the line items that were changed. He explained the conclusions and goals of the Finance Committee, noting that this is the second year that we have a zero tax increase with maintaining services. He said a budget is a forward looking document. They need to look on a monthly basis and see where we are. He is requesting that the Department heads come forth with any material variance. The Finance Committee will make themselves available for any assistance or advice needed.

Councilmember Gomez said it will take a lot of involvement from the Finance Committee and the Administration to start looking at the monthly expenses. This will provide transparency on a monthly basis and then on a yearly level. They need to know the revenue growth assumptions.

Councilmember Karabinchak believed that this Finance Committee worked together. They had differences but they fought through every issue and it was always to protect the taxpayer. He is excited that this is a zero tax increase for the second year in a row. We are starting to look at budgets the way they should be looked at, as a business.

Councilmember Perilstein thanked the Finance Committee for putting this together and working so diligently on this. There were many initial obstacles but she appreciates the time everyone put in. She asked a question on the amendment about Police salaries and if this was breakage.

Councilmember Lankey said "yes".

Councilmember Perilstein confirmed that this is not staffing levels. She spoke about funding to the athletic leagues and asked if anyone looked into putting requirements around accounting and how this money is used.

Councilmember Lankey said this was discussed and will be addressed with the Administration.

Councilmember Dr. Prasad also thanked the Finance Committee. He said the zero increase was for 2.5 years and not just two years as there was no increase in the transitional year budget. He pointed out that we would be in a better place if the Administration had not signed some long term contracts last year. He spoke about the economy. He felt the work done on this budget was first rate.

Council President Diehl opened the public comments on the amendment.

Jane Tousman, 14 Butler Road, said this is a great document but felt all the Committee members should have been listed. She didn't hear anything about the Department of Law. She said she put in an OPRA request for how much we are paying Mr. Kemm and Mr. Rainone in legal fees. She was glad to see the uncollected taxes in there. She hopes the Bill mentioned by Councilmember Karabinchak for tax appeals is

passed. She felt our court costs are slim. She would like to know what is going to happen to the extra \$1 million in the bonding.

Councilmember Lankey said this will be about \$100,000 for each year.

Ms. Tousman said the Township loves libraries. She noticed that the Library budget is separate and is \$5 million in the amendment. She wanted to see this officially on the record.

Burton Gimelstob, 6 Churchill Road, asked if what the JIF paid for legal fees was subtracted.

Councilmember Lankey said the JIF will kick in their portion.

Charles Tomaro, 4 Waverly Drive, said a good job was done by the Finance Committee and he thanked them for the zero tax increase. He questioned the LOSAP not being funded since 2006. He asked if the Volunteer Fire and EMTs receive statements.

Councilmember Lankey said this was just noticed in the last few days.

Mr. Tomaro asked if we have to make up for investments and interest they lost. He said the Ordinance for the Sports Leagues was done in 1991 and the Township receives rosters and this is what the funding is based on.

Sal Pizzi, 35 Trenton Avenue, said the Finance Committee and the Administration did a great job presenting a zero budget. He spoke about the reserve for tax appeals. He thought Councilmember Lankey was correct when he said monthly reporting is needed.

Councilmember Lankey said the reserve for taxes stayed at the amount it originated at. It stayed at \$1.5 million. Once they found out about LOSAP, they could no longer fund additional monies.

Joe Petrucelli, 62 Revere Boulevard, was concerned with the Mayor taking credit for the zero tax increase. He was also concerned with the dismantling of the Fire Rescue and EMS. He said when he saw the cost analysis for lay-offs, it was cheaper to keep them on the payroll. He spoke about the stipends to people who already receive benefits. He discussed the budget process. He spoke about comments that were made that the Township code was illegal. He spoke about looking for duplicate phone lines and combining polling places. He talked about shared services with the Board of Education and felt we could do more there. He asked how you can gag order a Council and expect them to deal with the unions. He said the Finance Committee never sat with the Police or Fire Chiefs and they never sat with Mr. Laird. He felt the need to closely monitor sick time and he discussed disability. He thought it may be better to have a paid in-house attorney. He said capital plans are for ten years. He felt we need monthly comparisons and to re-characterize the ledger.

Esther Nemitz, 162B Fay Street, said she was happy with Mr. Petrucelli's list of items. She asked for a table of tax appeals. She discussed bonding and felt it was unreasonable to have a three percent minimum for refinancing. She talked about changes for people that have retired or been let go and she asked how overtime was used in the amendments.

Councilmember Lankey said they were able to analyze the changes and decide what should be the standard.

Ms. Nemitz asked how we are going to start tackling problems.

Councilmember Lankey said that needs to be done in conjunction with the Administration.

Ms. Nemitz was concerned that the Township did not anticipate and have a good solar ordinance in place before the ILR LANDFILL went before the Planning Board.

Bruce Diamond, Calvert Avenue, asked if this is the time to ask questions about Police and sanitation. He said he does not see revenues associated with garbage collection.

Councilmember Lankey explained the garbage tax for residents who receive garbage collection.

Mr. Stephens said this is recycling and is not charged individually.

Mr. Diamond asked about the Police and Councilmember Lankey said this is maintaining the services.

Mr. Diamond was concerned that we still do not have a traffic division.

Mr. Stephens said we do provide Traffic Patrol and we should always have someone in Traffic.

Mr. Diamond asked the amount of Police Officers per shift.

Captain Pemberton said there is a minimum of twelve.

Mr. Stephens said that is twelve Patrolman but we also have Sergeants and Lieutenants.

Hearing no further comments, Councilmember Perilstein made a motion to close the public hearing on the first amendment. This motion was seconded by Councilmember Mascola, with all in favor.

Council President Diehl said on June 29th at 6 p.m. there will be a meeting to deal with the final adoption. They are also planning on having a meeting on the Dushara festival at 5:30 p.m.

				TOWNSHIP OF EDISON		
				<u>MIDDLESEX COUNTY, NEW JERSEY</u>		
				<u>RESOLUTION TO AMEND BUDGET</u>		
				WHEREAS, the local municipal budget for the year 2011 was approved on the		
				30th day of March, 2011, and;		
				WHEREAS, the public hearing on said budget		
				has been held as advertised, and;		
				WHEREAS, it is desired to amend said approved budget;		
				NOW THEREFORE BE IT RESOLVED, by the Township Council of the		
				Township of Edison, County of Middlesex, that the following amendments		
				to the approved budget of 2011 be made:		
				<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
				(Diehl	(None	(None
				Recorded Vote	((
				(Insert last names)	((
				(Karabinchak	(
				(Lankey		<u>Absent</u>
				(Mascola		(None
				(Perilstein		(
				(Prasad		
				<u>CURRENT FUND - ANTICIPATED REVENUES</u>		
					<u>From</u>	<u>To</u>
				<u>CURRENT FUND APPROPRIATIONS</u>		
				(A) Operations - within "CAPS"		
				Office of the Business Administrator		
				Salaries & Wages	276,313.00	312,313.00
				Division of Health		
				Salaries & Wages	1,194,150.00	1,236,150.00
				Division of Senior Citizen Services		
				Salaries & Wages	293,000.00	318,000.00
				Reserve for Tax Appeals	<u>1,728,000.00</u>	<u>1,500,000.00</u>
				Total Operations {Item 8(A)} within "CAPS"	<u>85,093,726.00</u>	<u>84,968,726.00</u>
				Total Operations Including Contingent		
				within "CAPS"	<u>85,143,726.00</u>	<u>85,018,726.00</u>
				(E) Deferred Charges and Statutory Expenditures		
				Municipal - Within "CAPS"		
				Prior Years Bills:		
				L.O.S.A.P. (2006 & 2007)	<u>0.00</u>	<u>125,000.00</u>
				Total Deferred Charges and Statutory		
				Expenditures-Municipal Within "CAPS"	<u>14,546,717.49</u>	<u>14,671,717.49</u>
				(H-1) Total General Appropriations for Municipal		
				Purposes within "CAPS"	<u>99,690,443.49</u>	<u>99,690,443.49</u>
				9. Total General Appropriations	<u>118,722,019.68</u>	<u>118,722,019.68</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 2011 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 June 25, 2011 and that said publication contain notice		
				of public hearing on said amendment to be held at 100 Municipal Blvd. on		
				June 29, 2011, at 6:00 o'clock p.m.		

The second amendment was introduced on a motion made by Councilmember Lankey and seconded by Councilmember Karabinchak.

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

NAYS - None

CALENDAR YEAR 2011 SOLID WASTE BUDGET

RESOLUTION

BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$8,980,960.00 for amount to be raised by taxation for Solid Waste Collection District.

SUMMARY OF REVENUES AND APPROPRIATIONS

1. General Revenues	
Surplus Anticipated	\$356,343.00
Miscellaneous Revenues Anticipated	
2. Amount to be Raised by Taxation for solid Waste Collection District	8,980,960.00
Total Revenues	9,337,303.00
3. General Appropriations	
Operations	8,981,403.00
Deferred Charges	
Statutory Expenditures	355,900.00
Judgements	
Deficit in Operations in prior Years	
Surplus (General Budget)	
Total Appropriations	9,337,303.00

The solid waste budget was adopted on a motion made by Councilmember Lankey and seconded by Councilmember Gomez.

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

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Diehl asked for a motion to add Resolutions R.164-032011 and R.165-032011 to the agenda. The motion was made by Councilmember Lankey, seconded by Councilmember Karabinchak, with all in favor.

Council President Diehl then asked for a motion to add Resolution R.509-062011 to the agenda.

Councilmember Perilstein objected to adding this because they were not able to do their due diligence. She felt as if this is something being rushed and asked if there is a reason for the sense of urgency on this. She was perplexed that this was only received today.

Council President Diehl said he is willing to add this. Councilmember Karabinchak said this contract is exactly the same as the IAFF contract that was an arbitrator's opinion.

Councilmember Lankey then made a motion to add Resolution R.509-062011 to the agenda. This motion was seconded by Councilmember Gomez.

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

NAYS - Councilmembers Perilstein and Prasad

Council President Diehl asked for a spokesperson from each side to try and resolve the Parade issue tonight. They heard all the information and it is not an easy issue to decide. There are concerns and issues surrounding this that are difficult. He hopes that we can have an India Day parade but right now this is in the balance. They need to bring forth the information that is important at this time.

Bimal Joshi said they are ready to do the parade.

Frank Fusco said he was asked to submit documentation establishing the validity of his organization. They have tax returns dating back to 2005. They have two applications for the parade and a Resolution of Recognition on how they conducted the parade. He is not sure if the Oak Tree Business Associates can establish their validity. He felt they have been inclusive of everyone.

Councilmember Perilstein asked, whatever decision the Council votes on or comes to, what are the two applicant's options.

Mr. Kemm said they can file a complaint in Superior Court to challenge.

Councilmember Perilstein confirmed the potential for litigation. She said it states in the Ordinance that they have ten days to appeal the decision.

Mr. Kemm said this is a ten day period to file an appeal, not for the Council to act on the appeal.

In response to Councilmember Perilstein's questions, Mr. Kemm said the Judge felt the appeal was filed within the time frame.

Mr. Kemm said the initial applications by both organizations were eventually denied. The Judge said they should reconsider both applications as if they were both filed. Oak Tree asked for an appeal within the ten day time frame in February but wanted to wait until the court resolved the IBA lawsuit.

Councilmember Perilstein asked if a precedent was set by revoking the Oak Tree Association permit.

Mr. Kemm said any approval can be revoked.

Councilmember Perilstein said this should be given serious consideration and not be a political decision.

Mr. Fusco said he received the first denial on February 25th.

Council President Diehl said he understands Councilmember Perilstein's logic, but said as decision makers, they cannot be gun shy because of potential litigation. He said this is not easy. They heard conversations about how many people tried to work this out. He felt there are a couple of options. They can award to IBA or to Oak Tree or they could work together and do a joint venture. There are representatives on the Council that would agree to be part of a Committee or group to help mediate or guide them. The Council hopes that through a joint venture, in the end, this will be a successful parade.

Bimal Joshi said he was okay with the Council working with IBA and themselves.

Mr. Fusco said his clients respectfully reject this offer because his clients hold the permits from Woodbridge and the County for this parade. There are other issues that cannot be overcome and he meant no disrespect to the Council.

Councilmember Lankey said they have been looking at this issue for awhile and time is of the essence. He listened to both sides on Monday and read all the documents. He made a motion to issue the permit to Oak Tree Business Association. This motion was seconded by Councilmember Karabinchak.

Councilmember Perilstein thought a huge component of this was the reluctance of the Administration to make a decision on this. In many ways this decision should not be before the Council. There is no criteria to look at to make a decision other than emotion or what they think they should do. This parade is bigger than Edison and she felt the Administration dragged their feet on this. She felt this authority was given to the Council even though it has no value.

Council President Diehl said he agrees with a lot of Councilmember Perilstein's comments, but unfortunately this has come to the Council chambers and they will not shy away from a decision. They are not afraid to take on what they believe. He said this is this year and they are trying to do this in the fairest way. The testament to this is that they tried to offer a compromise.

Mr. Fusco said the IBA is the Oak Tree Business Association. He asked if the permit will be awarded to them because they are this organization.

Council President Diehl said he knows where the spirit of this is and he asked why this point was not brought up on Monday if this was such a strong point.

Mr. Kemm said Mr. Fusco is correct. Mr. Joshi's group is the Oak Tree Indian Business Association.

Councilmember Lankey amended his motion to reflect the correct name.

Mr. Fusco asked if this was the original application.

Mr. Kemm said these are semantics at this point. Mr. Joshi signed the application.

Mr. Fusco asked how they can change the name on the Resolution.

Mr. Kemm said he can ask the Court to reopen the timeliness issue because Oak Tree Business Association was denied in December. He said technically his client can use the nomenclature of Oak Tree Business Association and we can just change the Resolution to read Oak Tree Indian Business Association. His advice is to amend the motion to approve the group represented by Mr. Bimal Joshi.

Council President Diehl asked when Mr. Joshi brought in the application, did he recognize them as the Oak Tree group.

Mr. Stephens said “yes” and in an earlier meeting this subject was discussed at length.

Councilmember Lankey amended his motion to “the group represented by Bimal Joshi”. Councilmember Gomez seconded this amendment.

A roll call was then taken on Resolution R.510-062011.

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

NAYS - Councilmembers Mascola and Perilstein
Councilmember Dr. Prasad abstained from voting.

EXPLANATION: This Resolution memorializes the decision of the Township Council on the appeal of the denial of the Public Events Permit for the 2011 India Day Parade and issues the Permit to **Mr. Bimal Joshi and the group known as the Oak Tree Business Association.**

EDISON TOWNSHIP

RESOLUTION R.510-062011

WHEREAS, Edison Township Code Section 11-18 et seq., permits the issuance of a Public Events Permit; and

WHEREAS, both the Bimal Joshi on behalf of the group known as the Oak Tree Business Association (hereinafter “Oak Tree Business Association”) and the India Business Association, Inc. applied for a Public Events Permit for the 2011 India Day Parade to be held on Sunday, August 14, 2011 on Oak Tree Road (County Road 604); and

WHEREAS, as further set forth upon the record there is a somewhat complex factual and procedural history, however, in short, both applications were denied by the Mayor’s letter of February 25, 2011; and

WHEREAS, India Business Association, Inc. filed a Complaint in the Superior Court of New Jersey, Middlesex County in the matter of: India Business Association, Inc. v. Township of Edison, et. al. bearing Docket No.: MID-L-1488-11, challenging the denial of their permit; and

WHEREAS, by letter dated March 7, 2011 the Oak Tree Business Association filed an appeal to the Township Council pursuant to Edison Township Code Section 11-18.7 and the Township held off on hearing the appeal due to the pending lawsuit; and

WHEREAS, by Order dated June 7, 2011 the Honorable Travis L. Francis, A.J.S.C. in the matter of: India Business Association, Inc. v. Township of Edison, et. al. bearing Docket No.: MID-L-1488-11, in part ordered the Township Council to hear the appeals of both the Oak Tree Business Association and the India Business Association, Inc. pursuant to Edison Township Code Section 11-18.7; and

WHEREAS, the Township Council heard the appeals of both organizations on Monday, June 20, 2011 and further considered and decided upon the appeals on Wednesday, June 22, 2011; and

WHEREAS, the attorney for the India Business Association, Inc. raised an issue regarding Bimal Joshi and his group’s use of the name “Oak Tree Business Association” as other individuals have incorporated that name as reflected in Exhibit C to the attorney’s letter of June 11, 2011 submitted to the Council in support of their appeal. The name of that incorporated entity is: “Oak Tree Business Association, Inc.” and interestingly the registered agent, incorporator and the first Board of Trustees are known members of the India Business Association, Inc. and have the same address as India Business Association, Inc. Additionally, Bimal Joshi and his group have also been known as the “Oak Tree Indian Business Association” as reflected on the petition they submitted to the Council in support of their appeal. The Council found that the use of the term “Oak Tree Business Association” has always been known and understood to be the group which has been represented by Bimal Joshi.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey and as further set forth upon the record the Township Council hereby issues the Public Events Permit pursuant to Edison Township Code Section 11-18 et seq. for the 2011 India Day Parade to be held on Sunday, August 14, 2011 on Oak Tree Road (County Road 604) to **Bimal Joshi and the group known as the Oak Tree Business Association** and subject to the conditions imposed on past parades by the Edison Division of Police, Department of Health, Department of Public Works and the Division of Fire including the reimbursement of Township costs.

BE IT FURTHER RESOLVED, that the Edison Township Clerk is hereby directed to forward a certified copy of this Resolution to the India Business Association, Inc., the Oak Tree Business Association, the Township of Woodbridge and the County of Middlesex and further requests the County of Middlesex to issue their road closing permit to **Bimal Joshi and the group known as the Oak Tree Business Association**.

Council President Diehl then asked for a motion to remove Resolutions R.164-032011 and R.165-032011 from the table.

This motion was made by Councilmember Gomez, seconded by Councilmember Karabinchak.

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

NAYS - Councilmember Dr. Prasad

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.164-032011, R.165-032011 and R.463-062011 through R.509-062011.

Walt Shneer, Park Way, spoke on Resolution R.480-062011 and asked for the definition of this.

Mr. DeRosa said this creates a trust fund for people who pay to maintain unruly property and is just an accounting procedure.

Burton Gimelstob, 6 Churchill Road, asked if any Resolutions had been pulled. On Resolution R.467-062011, he asked the Council to reconsider this. He said on Monday Mr. Stephens said that we have to move forward on this because of the funding grant.

Mr. Stephens said this is a draw down on the grant.

Mr. Gimelstob asked if the grant expires in August 2012.

Mr. Stephens said a letter from the Federal government states that as of June of this year, 70% of the grant should have been charged.

Councilmember Karabinchak read the letter from the Federal government. He said the issue is that the government wants us to spend the money as soon as possible to stimulate growth in the economy. He said he did not see where the funding will be pulled.

Mr. Gimelstob felt this bid was a nightmare. He was concerned with the damage to the roof. He asked Mr. Kemm if he reviewed the bid documents.

Mr. Kemm said he did not.

Councilmember Karabinchak said the letter is dated March 2011.

Mr. Gimelstob asked to table this and get the bid right. He requested a letter be sent to the Federal government to show what the Township is doing to move this forward.

Joe Petrucelli, 62 Revere Boulevard, asked if the word "plan" was from the Federal government. He asked if there are any warranties if this is put on the roof. On Resolution R.470-062011, he asked the value of the Risk Management firm.

Councilmember Mascola said this is \$17,500.

Mr. Stephens said this firm looks at people on disability and this vendor has already pointed out a number of savings.

Mr. Petrucelli asked if the Council saw the report from the consultants. He asked about the award of the contract for Motorola.

Mr. Stephens explained that the equipment needs to be replaced.

Jane Tousman, 14 Butler Road, asked the percentages on the contracts on Resolutions R.507-062011 and R.508-062011.

Mr. Stephens explained the percentages.

Esther Nemitz, 162B Fay Street, said she was happy to see the Resolution for the Arts Society. She asked the date of the fireworks. Regarding Resolution R.467-062011, she spoke about solar panels on a warehouse and felt we need to do more homework on this instead of going full steam ahead with no criteria.

Charles Tomaro, 4 Waverly Drive East, was glad to see Resolution R.469-062011 and R.489-062011 on the agenda. He said the County is offering to pay for half the cost of the engineering if the Township looks into having solar done.

Julian Zemes, 17 Stiles Road, spoke on Resolution R.467-062011 and asked how these are mounted.

Mr. Stephens said by ballast on the roof and they can withstand up to 120 mile per hour winds. The preliminary study is that the weight will not be a problem but they will come back and reevaluate.

Burton Gimelstob, 6 Churchill Road, asked about the grant in 2009.

Mr. Stephens said it was just under \$1 million.

Mr. Gimelstob asked if there was a study done on how to use the money.

Sal Pizzi, 35 Trenton Avenue, felt Resolution R.467-062011 would benefit the Township. He said this is a federal grant and the taxpayers will not pay for this.

Esther Nemitz, 162B Fay Street, said there was an offer made to have another company oversee the work on the solar panel project. She asked if this was agreed upon.

Councilmember Karabinchak said he briefly talked to Mr. Medina. He said certain things should occur that have not occurred. He felt at some point this will be good for the Township. He said this is Federal taxpayer money. He said Mr. Medina wrote a letter on how he was going to take care of certain items during the process and he would prefer a consultant oversee this.

Mr. Stephens made a commitment that they will hire someone to oversee.

Ms. Nemitz spoke about Vineyard Road paving.

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

Councilmember Dr. Prasad requested that Resolutions R.164-032011, R.165-032011 and R.467-062011 be pulled for separate vote.

Councilmember Perilstein requested that Resolutions R.507-062011 and R.509-062011 be pulled for separate vote.

Councilmember Karabinchak requested that Resolutions R.506-062011 be pulled for separate vote.

Councilmember Lankey requested that Resolution R.463-062011 be pulled for separate vote.

The following Resolutions R.464-032011 through R.466-062011, R.468-062011 through R.505-062011 and R.508-062011 were adopted under the Consent Agenda on a motion made by Councilmember Prasad and seconded by Councilmember Mascola.

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

NAYS - None

RESOLUTION R.464-062011

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department's 9-1-1 Communications Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, Queues Enforth Development, Inc., 14 Summer Street, Malden, MA 02148, has submitted a proposal to provide such services for a one year term at a cost of \$34,461.00; and

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

WHEREAS, funds in the amount of \$34,461.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 1-01-25-0250-000-026.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents, in the amount of \$34,461.00, with Queues Enforth Development, Inc., 14 Summer Street, Malden, MA 02148 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$34,461.00 are available for the above contract in Account No. 1-01-25-0250-000-026.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.465-062011

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SHARP ELEVATOR COMPANY INC. FOR ELEVATOR MAINTENANCE AND REPAIR-LIBRARIES

WHEREAS, bids were received by the Township of Edison on March 18, 2011 for Public Bid No. 11-12-07, Elevator Maintenance and Repair-Libraries; and

WHEREAS, SHARP ELEVATOR COMPANY, INC., 2 Route 37 West, Toms River, NJ 08753 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the Edison Township Public Library reviewed the bids and the Board of Trustees accepted the low bidder, Sharp Elevator Company, Inc.; and

WHEREAS, the maximum amount of the purchase shall not exceed \$5,948.00 (\$3,948.00 for monthly maintenance fees and \$2,000.00 for additional work not covered under the maintenance agreement); and

WHEREAS, funds in the amount of \$5,948.00 have been certified to be available in the Free Public Library Other Professional Services Account, Number 1-01-29-0390-000-028, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 SHARP ELEVATOR COMPANY, INC., 2 Route 37 West, Toms River, NJ 08753 for Elevator Maintenance and Repair-Libraries, 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 \$5,948.00, and any other necessary documents, with SHARP ELEVATOR COMPANY, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$5,948.00 are available for the above contract in Account No. 1-01-29-0390-000-028 subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.466-062011

RESOLUTION AWARDING CONTRACT TO THE EDISON ARTS SOCIETY FOR CULTURAL OUTREACH PROGRAMS

WHEREAS, the Township of Edison is desirous of providing cultural outreach programs; and

WHEREAS, THE EDISON ARTS SOCIETY, 390 Mac Lane, Keasbey, NJ 08830 has agreed to provide numerous musical productions, including the Edison Symphony Orchestra; and

WHEREAS, a one-time stipend in the amount of \$35,467.50 will be made available to the Edison Arts Society; and

WHEREAS, funds in the amount of \$35,467.50 have been certified to be available, contingent upon Council adoption of the 2011 budget, in the Celebration of Public Events Account Number 1-01-30-0420-000-020.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract with THE EDISON ARTS SOCIETY, 390 Mac Lane, Keasbey, NJ 08830 as described herein.
2. The Township Clerk is directed to forward a copy of the executed contract to Denise Halliwell, Director of Recreation for the Department of Recreation's records.

CERTIFICATION

I hereby certify that funds in the amount of \$35,467.50 are available, contingent upon Council adoption of the 2011 budget, for the above contract in Account #1-01-30-0420-000-020.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.468-062011

EXPLANATION: This Resolution authorizes a Shared Services Agreement with the Borough of Highland Park for roadway milling and resurfacing services.

WHEREAS, the Borough of Highland Park is desirous of procuring roadway milling and resurfacing services from the Township of Edison through approximately September 30, 2011; and

WHEREAS, the Township of Edison wishes to enter into a Shared Services Agreement with the Borough of Highland Park, attached hereto, for the provision of roadway milling and resurfacing services as permitted by the "Uniform Shared Services and Consolidation Act" N.J.S.A. 40A:65-1, et seq.

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

1. The attached Shared Services Agreement between the Township of Edison and the Borough of Highland Park for the provision of roadway milling and resurfacing services is hereby approved by the Township Council.
2. Upon receipt of the Borough of Highland Park Resolution approving the Shared Services Agreement and an executed copy of the Agreement, the Township shall provide copies of all Resolutions and the Shared Services Agreement to the Division of Local Government Services in the Department of Community Affairs as required by N.J.S.A. 40A:65-4(b).
3. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Shared Services Agreement between the Township of Edison and the Borough of Highland Park for the provision of roadway milling and resurfacing services attached hereto and all other documents and undertake all actions reasonably necessary to effectuate and implement this Resolution and the terms of the Shared Services Agreement.
3. The Township Clerk is also directed to forward a certified copy of this Resolution once adopted to the Edison Township Attorney and the Highland Park Borough Clerk.

RESOLUTION R.469-062011

RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER # 1 IN AN AMOUNT OF \$741.00 FOR CONTRACT # 10-01-28-HC ACCESSIBILITY RENOVATIONS AND LIMITED SCOPE REPAIRS FOR THE EDISON MEMORIAL TOWER MUSEUM, FOR A TOTAL REVISED CONTRACT AMOUNT OF \$109,906.00

WHEREAS, ALL JERSEY MECHANICAL AND CONSTRUCTION, INC., 77 Cliffwood Avenue, 4C, Cliffwood, NJ 07721 was awarded a contract through resolution R.195- 042010 in a contract amount not to exceed \$109,165.00 for Contract #10-01-28-HC ACCESSIBILITY RENOVATIONS AND LIMITED SCOPE REPAIRS FOR THE EDISON MEMORIAL TOWER MUSEUM; and

WHEREAS, a contract Change Order #1 in an amount of \$741.00 has been reviewed by the Architect and has been found to be necessary, and consists of additional costs to relocate electric conduits in mechanical room, labor to install ceramic tile wainscot in bathroom and includes credit both for not working on side entrance landing, and for donation of vinyl floor tile; and

WHEREAS; this change order #1 is recommended by the Township for authorization and approval in the net additional amount of \$741.00 resulting in a revised construction contract amount not to exceed \$109,906.00; and

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that contract Change Order #1 in a net amount not to exceed \$741.00 shall be authorized and approved for the project, Contract #10-01-28-HC Accessibility Renovations and Limited Scope Repairs for the Edison Memorial Tower Museum, to ALL JERSEY MECHANICAL AND CONSTRUCTION, INC. for a revised construction contract amount of \$109,906.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds are available for Change Order #1 for the above contract in Account No. T-14-08-0510-001-522 in a net change order amount not to exceed \$741.00 for a revised construction contract in an amount not to exceed \$109,906.00.

/s/Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.470-062011

RESOLUTION R.339-062010 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO FINANCIAL INSURANCE CONSULTANTS, LLC FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, the Township of Edison has a need to renew the professional risk management consulting services as required in the bylaws of the Central Jersey Joint Insurance Fund for July 1, 2011 – June 30, 2012, and pursuant to N.J.S.A. 40A:10-36; and

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

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

WHEREAS, FINANCIAL INSURANCE CONSULTANTS, LLC, 1315 Stelton Road, Piscataway, NJ 08854, has submitted a proposal to provide such services for an amount equal to five point five eight percent (5.42%) of Edison Township's annual assessment as promulgated by the Fund; and

WHEREAS, FINANCIAL INSURANCE CONSULTANTS, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit FINANCIAL INSURANCE CONSULTANTS, LLC from making any reportable contributions through the term of the contract.

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

1. The Mayor, or her designee, is hereby authorized to execute a contract and any other necessary documents with FINANCIAL INSURANCE CONSULTANTS, LLC, 1315 Stelton Road, Piscataway, NJ 08854 for professional risk management consulting services.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

RESOLUTION R.471-062011

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO SONICWALL FOR FIREWALL SECURITY FOR THE TOWNSHIP OF EDISON

WHEREAS, quotes were solicited by The Township of Edison for Firewall Security for the Township of Edison; and

WHEREAS, SONICWALL, 680 West 10000 South, Suite 210, South Jordan, UT 84095 submitted the lowest quote in the amount of \$11,130.00; and

WHEREAS, funds in the amount of \$11,130.00 have been certified to be available in the Dispatch 911 Computer Hardware & Software Account, No. 1-01-25-0250-000-059, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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

1. All quotes have been reviewed, and the quote as submitted by SONICWALL, 680 West 10000 South, Suite 210, South Jordan, UT 84095 for Firewall Security for the Township of Edison, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$11,130.00, and any other necessary documents, with SONICWALL.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$11,130.00 are available for the above contract in Account No. 1-01-25-0250-000-059, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

/s/Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.472-062011

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 \$167,915.42.

RESOLUTION R.473-062011**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 **STO0000014**, to the following:

Permit Number:	10033
Opening Location:	29 Oliver Avenue
Block/Lot:	576/41
Applicant's Name & Address:	DCR Landscaping & Construction PO Box 4195 Metuchen, NJ 08840
Initial Deposit Date:	3/16/2011
Deposit Amount:	\$144.00
Paid by and refunded to:	Same as applicant

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 R.474-062011**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 **STO0000016**, to the following:

Permit Number:	10039
Opening Location:	33 Thornall Street
Block/Lot:	676/2.A3

Applicant's Name & Address:	Blair Park Services, LLC T/A Snesys, LLC 185 Titus Avenue Warrington, PA 18976
Initial Deposit Date:	03/30/2011
Deposit Amount:	\$160.00
Paid by and refunded to:	Same as applicant

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 R.475-062011

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 **STO0000015**, to the following:

Permit Number:	10038
Opening Location:	Woodbrook Drive & Park Avenue
Block/Lot:	
Applicant's Name & Address:	Highpoint Utilities 18 Northfield Drive Wantage, NJ 07461
Initial Deposit Date:	3/24/2011
Deposit Amount:	\$1,225.00
Paid by and refunded to:	Same as applicant

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 R.476-062011

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 **STO0000011**, to the following:

Permit Number:	10032
Opening Location:	36 Baldwin Road
Block/Lot:	1147/36
Applicant's Name & Address:	JW Contractors, INC 39 Minna Street Rahway, NJ 07065
Initial Deposit Date:	3/16/2011
Deposit Amount:	\$576.00

Paid by and refunded to:	Lorraine and Bill Morris 36 Baldwin Road Edison, NJ 08817
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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 R.477-062011

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 **STO0000012**, to the following:

Permit Number:	10029
Opening Location:	12 Sherwood Road
Block/Lot:	546.E/10
Applicant's Name & Address:	Roto Rooter 80 Veronica Avenue Somerset, NJ 08873
Initial Deposit Date:	3/15/2011
Deposit Amount:	\$480.00
Paid by and refunded to:	Same as applicant

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 R.478-062011

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 **STO0000013**, to the following:

Permit Number:	10031
Opening Location:	21 Phillips Road
Block/Lot:	265.Q/6
Applicant's Name & Address:	MJS Excavating Inc 85 Bridge Street Sewaren, NJ 07080
Initial Deposit Date:	3/16/2011
Deposit Amount:	\$576.00
Paid by and refunded to:	Michael Carter 111 Wallace Street 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 R.479-062011

RESOLUTION AUTHORIZING THE 2010 LOSAP PAYMENT TO AIG VALIC C/O CHASE BANK IN THE AMOUNT OF \$84,000.00

WHEREAS, On June 26, 2002, the Edison Township Municipal Council adopted Resolution R.376-062002 which implemented the Township's Length of Service Award "LOSAP" program; and

WHEREAS, this program was created to ensure retention of existing volunteers and to provide incentives for recruiting new volunteer firefighter and first aid/rescue squad members; and

WHEREAS, the original resolution contributed yearly five hundred dollars (\$500.00) per eligible member to a deferred income account and Ordinance O.1576-2007 increased this contribution to one thousand dollars (\$1,000.00); and

WHEREAS, for the 2010 contribution, there are eighty four (84) eligible members at one thousand dollars (\$1,000.00) each for a total amount of eighty four thousand dollars (\$84,000.00).

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make the 2010 LOSAP payment to AIG VALIC C/O CHASE BANK PO BOX 200777, HOUSTON, TX 77216 in the amount of \$84,000.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$84,000.00 are available for the above payment in Account No. 1-01-55-0204-001-008.

/s/Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.480-062011

RESOLUTION AUTHORIZING A "DEDICATION BY RIDER" TO THE BUDGET OF THE TOWNSHIP OF EDISON FOR PROPERTY MAINTENANCE PROGRAM PURSUANT TO 40:A-39

WHEREAS, N.J.S. 40A:4-39 provides for the insertion of a "Dedication by Rider" in the budget of any local unit which dedicates revenues anticipated during the calendar year from health benefits, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, New Jersey, that all Property Maintenance Program fees received by the Township of Edison, be placed in a specific trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the local unit, pursuant to N.J.S. 40A:4-39, for the sole purpose stated above.

BE IT FURTHER RESOLVED that the Municipal Clerk of the Township of Edison is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION R.481-062011

WHEREAS, the Township of Edison is eligible to receive grant funding up to \$84,064.00 from the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex 2012 Municipal Alliance Program; and

WHEREAS, the Edison Municipal Alliance/Youth Services Commission is desirous of applying for the grant funds available from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of Edison; and

WHEREAS, in order to receive said grant the Township must match funds, 25% in cash and 75% in kind service to be eligible; and

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that: the Edison Municipal Alliance/Youth Services Commission in conjunction with the Health Officer of the Department of Health and Human Services are authorized to develop and file a grant application with the County of Middlesex ; the County of Middlesex be requested to accept said application on behalf of the Township of Edison; the appropriate fiscal officer will accept the funds in connection with

said project from the County of Middlesex and make disbursements in accordance with said application; and the appropriate Township Officials are hereby authorized to file the necessary applications and to enter into agreements and contracts with the County of Middlesex and other agencies and corporations for funding and implementation of this Municipal Alliance Grant program.

RESOLUTION R.482-062011

RESOLUTION AUTHORIZING A REIMBURSEMENT OF FARE CARD FEES TO VARIOUS FORMER RIDERS OF EDISON LIGHT TRANSIT

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

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the respective amounts totaling \$211.50 to the former Edison Light Transit riders as listed below:

Jaigeeta Kodamanchili 1637 Waterford Dr. Edison, NJ 08817	10 fares @ \$1.50: <u>\$15.00</u>
Achal Puri 6508 Hana Rd. Edison, NJ 08817	9 fares @ \$1.50: <u>\$13.50</u>
Ashutosh Kamat 701 Rivendell Way, Edison, NJ 08817	39 fares @ \$1.50: <u>\$58.50</u>
Venkata K. Mangipudi 29 Langholm Ct., Edison, NJ 08817	9 fares @ \$1.50: <u>\$13.50</u>
Anand Attavane 2704 Merrywood Dr., Edison, NJ 08817	40 fares @ \$1.50: <u>\$60.00</u>
Girish Babu Kolar Visweswara Iyer 323 Prestwick Way, Edison, NJ 08820	24 fares @ \$1.50: <u>\$36.00</u>
Nancy Beck 314 Michelle Circle, Edison, NJ 08820	10 fares @ \$1.50: <u>\$15.00</u>

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed \$211.50 are available for the above refund in Account No. 1-01-55-0291-000-000.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.483-062011

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 2009 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 0510; and

WHEREAS, A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035, submitted the sole quote in the amount of \$4,400.00; and

WHEREAS, funds in the amount of \$4,400.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-09-0510-000-001.

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

1. All quotes have been reviewed, and the quote in the amount of \$4,400.00 by A-PLUS CONSTRUCTION, 18 Station Road, Lincoln Park, NJ 07035 for home improvements is determined to be the sole quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$4,400.00 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 \$4,400.00 are available for the above contract in Account No. T-14-09-0510-000-001.

/s/Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.484-062011

WHEREAS, the Township Engineer advises that an inspection has been made of Tingley Woods, LLC (Phase I) located at 196 Tingley Lane in Block #427 Lot: 21-H-1, Application #P5033 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 Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, the Certificate of Occupancy was issued on December 8, 2008, since the project has extended beyond the (2) two-year maintenance bond period there will be no maintenance bond required; and

WHEREAS, a Cash Performance Bond Check #1052 was posted on January 24, 2006 by Tingley Woods, LLC in the amount of \$25,119.24 on deposit in Account #7760013269; and

WHEREAS, a Cash Performance Bond Reduction was posted on March 5, 2008, Resolution #115-032008 reducing the Cash Performance Bond to \$12,559.62; and

WHEREAS, a Performance Bond #B201734 of Selective Insurance Company of America was posted on January 24, 2006 by Tingley Woods, LLC in the amount of \$226,073.16; and

WHEREAS, a Performance Bond Bond Reduction was posted on March 5, 2008, Resolution #115-032008 reducing the Performance Bond to \$113,036.58; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$12,559.62 plus accrued interest, if applicable, on deposit in account #7760013269 principal being Tingley Woods, LLC, having offices at 1460 Route 9 North, Suite 210, Woodbridge, N.J. 07095 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$113,036.58; 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 \$113,036.58, 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 \$12,559.62, plus accrued interest if applicable on deposit in account #7760013269 to the applicant.

RESOLUTION R.485-062011

WHEREAS, the Township Engineer advises that we have received a written request from East Woodbridge Avenue, LLC, Application #Z18-04/05 located at Woodbridge Avenue in Blocks: 390 & 390 and Lots: 50-A & 4-A-1 that they do not intend to move forward with this project for some period of time and they are now requesting the release of the Performance Bond; and

WHEREAS, the Township Engineer recommends that new bonds shall be required should this project be re-initiated; and

WHEREAS, on October 7, 2008 East Woodbridge Avenue, LLC, having offices at 8 Winchester Drive, Scotch Plains, N.J. 07060 posted a Performance Bond # B1058063 of Selective Insurance Company of America in the amount of \$373,510.04 for the above application; and

WHEREAS, the Township Engineer therefore recommends the release of the aforesaid Performance Bond # B1058063, being held by the Township of Edison be returned to the applicant; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$373,510.04 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 Performance Bond in the amount of \$373,510.04 to the applicant.

RESOLUTION R.486-062011

WHEREAS, on May 11, 2011 a Maintenance Bond Check#2283479 was posted by Nimisha Shukla in the amount of \$27,334.72 and it is now recommended by the Township Engineer to release the Cash Performance and Performance Bond for the above application; and

WHEREAS, the Township Engineer advises that an inspection has been made of Shukla Medical Office, Application #P19-06/07 located at 1802 Oak Tree Road in Block: 546-K, Lot: 1, 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 Township Engineer, recommends the **release of the Performance Bond Letter of Credit #SM232621W of Wachovia Bank in the amount of \$196,809.96 with the Township of Edison, principal being Nimisha J. Shukla and acceptance of the subject improvements; and**

WHEREAS, the Township Engineer, recommends the **release of the Cash Performance Bond Check #1269509 in the amount of \$21,867.78, on deposit in account #7760013371 with the Township of Edison, principal being Nimisha J. Shukla having offices at 76 George Avenue, Edison, N.J. 08820, 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 Letter of Credit in the amount of \$196,809.96 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 \$21,867.78, plus accrued interest, if applicable, on deposit in account #7760013371 to the applicant.**

RESOLUTION R.487-062011

WHEREAS, the Township Engineer advises that an inspection has been made of 46 Utica Road, in Block: 1006, Lot: 21, 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, a cash performance check was posted by Narendra Patel on February 23, 2011 in the amount of \$8,800.00 for a Temporary Certificate of Occupancy for unfinished work for driveway, grading and trees because of winter conditions for the above referenced project; and

WHEREAS, the Certificate of Occupancy was issued on May 6, 2011; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond check in the amount of \$8,800.00, plus accrued interest, if applicable, on deposit in account #7761417133 with the Township of Edison, principal being Narendra Patel, having offices at 46 Utica Road, Edison, N.J. 08820 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$8,800.00, plus accrued interest, if applicable, to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$8,800.00, plus accrued interest, if applicable, on deposit in account #7761417133 to the applicant.

RESOLUTION R.488-062011

WHEREAS, the Township Engineer advises that an inspection has been made of 226 Garfield St., located in Block: 911, Lot: 6A & 6B, 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, a cash performance check was posted by Ziga Homes, Inc. on January 14, 2011 in the amount of \$15,500.00 for a Temporary Certificate of Occupancy for unfinished work because of winter conditions for the above referenced project; and

WHEREAS, the Certificate of Occupancy was issued on May 20, 2011; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond check in the amount of \$15,500.00, plus accrued interest, if applicable, on deposit in account #7761417075 with the Township of Edison, principal being Ziga Homes, Inc., having offices at 910 Amboy Avenue, Edison, N.J. 08837 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$15,500.00, plus accrued interest, if applicable, to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$15,500.00, plus accrued interest, if applicable, on deposit in account #7761417075 to the applicant.

RESOLUTION R.489-062011

EXPLANATION: RESOLUTION OF CONTRACT AWARD ON PUBLIC BID NO. 11-30-01 FOR VINEYARD ROAD RESURFACING, FROM ESTOK ROAD TO ELIZABETH COURT.

WHEREAS, sealed bids, six (6) in total, were received for Public Bid No. 11-30-01, Vineyard Road Resurfacing, from Estok Road to Elizabeth Court, Township of Edison, Middlesex County, NJ, on Thursday, May 12, 2011, at 11:00 am; and

WHEREAS, Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 (phone # 908-757-2215) is the low bidder, with a total bid of \$287,592.93; and

WHEREAS, the Edison Township Engineer has reviewed the bids received and has recommended award of a contract to the low bidder, Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076, at the bid amount not to exceed \$287,592.93;

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that a construction contract be awarded to Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076, at the bid amount not to exceed \$287,592.93 for Public Bid No. 11-30-01, Vineyard Road Resurfacing, from Estok Road to Elizabeth Court, Township of Edison, Middlesex County, NJ.

CFO CERTIFICATION OF FUNDS:

I hereby certify that funding in the total amount of \$287,592.93 for the above construction contract is available in account is available in account number C-04-10-1754-165-003.

RESOLUTION R.490-062011

WHEREAS, on May 31, 2011 a Maintenance Bond #023015782 of Safeco Insurance Company of America was posted by Costco Wholesale Corporation in the amount of \$128,891.67 and it is now recommended by the Township Engineer to release the Cash Performance and Performance Bond for the above application; and

WHEREAS, the Township Engineer advises that an inspection has been made of Costco Gas Station, Application #P19-09/10 located at Vineyard Road in Block: 197, Lot: 9.01, 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 Township Engineer, recommends the release of the Performance Bond #6329783 of Fidelity and Deposit Company of Maryland in the amount of \$928,020.02 with the Township of Edison, principal being Ledcor Construction Inc. and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Bond Check #9494120852 in the amount of \$103,113.34 plus accrued interest, if applicable, on deposit in account #7761416960 with the Township of Edison, principal being Ledcor Construction Inc. having offices at 6405 Mira Mesa Boulevard, Suite 100, San Diego, Ca. 92121, 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 of \$928,020.02 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 \$103,113.34, plus accrued interest, if applicable, on deposit in account #7761416960 to the applicant.

RESOLUTION R.491-062011

WHEREAS, Carlo Filippelli posted a Tree Maintenance Bond check #1002 in the amount of \$675.00 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #08-29, located at 28 Oak Grove Lane, Block: 557-G and Lot: 13; and

WHEREAS, a Tree Maintenance Bond was posted on March 25, 2008 in the amount of \$675.00, on deposit in account #7760275059; and

WHEREAS, the Certificate of Occupancy was issued on May 11, 2009; and

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$675.00, plus accrued interest, if applicable, be refunded to the applicant; and

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus accrued interest, if applicable, on deposit in Account #7760275059 to Carlo Filippelli having offices at 28 Oak Grove Lane, Edison, N.J. 08820.

RESOLUTION R.492-062011

RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO OTTO ENVIRONMENTAL SYSTEMS FOR AUTOMATED/SEMI AUTOMATED REFUSE CONTAINERS

WHEREAS, bids were received by the Township of Edison on May 11, 2011 for Public Bid No. 11-04-25, Automated/Semi Automated Refuse Containers for the Department of Public Works; and

WHEREAS, OTTO ENVIRONMENTAL SYSTEMS, 12700 General Drive, Charlotte, NC 28273, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$55,930.00; and

WHEREAS, funds in the amount of \$55,930.00 have been certified to be available in the Sanitation Operating – New Equipment Account, Number 1-09-55-0800-001-212, subject to and contingent upon appropriation of sufficient funds in the 2011 budget.

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 OTTO ENVIRONMENTAL SYSTEMS, 12700 General Drive, Charlotte, NC 28273 for Automated/Semi Automated Refuse Containers, 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 \$55,930.00, and any other necessary documents, with OTTO ENVIRONMENTAL SYSTEMS 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 R.493-062011

RESOLUTION ACCEPTING QUOTE AND AWARING CONTRACT TO FORDS LAWN MOWER FOR A WALK BEHIND MOWER FOR THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 submitted the lowest quote in the amount of \$5,797.54; and

WHEREAS, funds in the amount of \$5,797.54 have been certified to be available in the Sewer-Other Equipment & Supplies Account, No. 1-07-55-0501-000-058; and

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

1. All quotes have been reviewed, and the quote as submitted by FORDS LAWN MOWER, 769 King George Road, Fords, NJ 08863 for a walk behind mower for the Department of Public Works, is determined to be the lowest quote.

2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$5,797.54, and any other necessary documents, with FORDS LAWN MOWER.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$5,797.54 are available for the above contract in Account No. 1-07-55-0501-000-058.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.494-062011

RESOLUTION AWARDING CONTRACT TO F & S TIRE CORPORATION, INCORPORATED FOR THE FURNISHING OF BRIDGESTONE TIRES AND TUBES

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

WHEREAS, F & S TIRE CORPORATION, INCORPORATED, 58 Brunswick Avenue, Edison, NJ 08817 has been awarded State Contract Number A71687 under T-0123/ Tires and Tubes; and

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

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 and any other necessary documents, with F & S TIRE CORPORATION INCORPORATED, 58 Brunswick Avenue, Edison, NJ 08817 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. 71687/T-0123.

RESOLUTION R.495-062011

RESOLUTION AWARDING CONTRACT TO F & S TIRE CORPORATION, INCORPORATED FOR THE FURNISHING OF GOODYEAR TIRES AND TUBES

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

WHEREAS, F & S TIRE CORPORATION, INCORPORATED, 58 Brunswick Avenue, Edison, NJ 08817 has been awarded State Contract Number A71688 under T-0123/ Tires and Tubes; and

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

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00 and any other necessary documents, with F & S TIRE CORPORATION INCORPORATED, 58 Brunswick Avenue, Edison, NJ 08817 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. 71688/T-0123.

RESOLUTION R.496-062011

RESOLUTION AUTHORIZING A REIMBURSEMENT TO SANTOSH SUBRAMANIAN FOR THE ABC PROGRAM

WHEREAS, Santosh Subramanian made payment in the amount of \$240.00 for his child, Ashwath Subramanian's participation in the morning and afternoon ABC Programs at Menlo Park Elementary School; and

WHEREAS, payment was made prior to the removal of the child from the program.

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 \$240.00 to Santosh Subramanian, 48 Marlin Ave., West, Edison, NJ 08820, which amount represents the monthly fee for the ABC program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$240.00 are available in Account #1-01-55-0291-000-000.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.497-062011

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO METUCHEN CENTER, INC. FOR RECREATION GAMES AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on April 14, 2011 for Recreation Games and Equipment; and

WHEREAS, METUCHEN CENTER, INC., 409 Joyce Kilmer Avenue, Unit 5B, New Brunswick, NJ 08901, submitted the lowest legally responsible bid for various items of the bid; and

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

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

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

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 in the amount of \$30,000.00 by METUCHEN CENTER, INC., 409 Joyce Kilmer Avenue, Unit 5B, New Brunswick, NJ 08901 for Recreation Games and Equipment is determined to be the lowest legally responsible 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 \$30,000.00 and any other necessary documents, with METUCHEN CENTER, INC.
5. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.498-062011

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO S&S WORLDWIDE, INC. FOR RECREATION GAMES AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on April 14, 2011 for Recreation Games and Equipment; and

WHEREAS, S&S WORLDWIDE, INC., 75 Mill Street, Colchester, CT 06415, submitted the lowest legally responsible bid for various items of the bid; and

WHEREAS, the total amount of this contract, not to exceed \$7,000.00, 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 in the amount of \$7,000.00 by S&S WORLDWIDE, INC. 75 Mill Street, Colchester, CT 06415 for Recreation Games and Equipment is determined to be the lowest legally responsible 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 \$7,000.00 and any other necessary documents, with S&S WORLDWIDE, INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.499-062011

RESOLUTION AWARDING CONTRACT TO MOTOROLA, INCORPORATED FOR THE PURCHASE, REPAIR AND MAINTENANCE OF RADIO COMMUNICATION EQUIPMENT AND ACCESSORIES

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

WHEREAS, MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., PO BOX 305, Bordentown, NJ 08505-0305 has been awarded State Contract Number A53804 under T-0109/Radio Communications Equipment and Accessories; and

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

WHEREAS, the maintenance portion of the contract covers all parts and labor as well as a preventative maintenance inspection. This portion of the contract is \$177,469.32; and

WHEREAS, the repairs portion of the contract covers time and materials repairs to the portable and vehicle radios not covered by the maintenance contract. This expense will be capped at a not to exceed amount of \$50,000.00; and

WHEREAS, purchases, as needed, shall make up the balance of this contract to bring the amount of this contract to a not to exceed amount of \$400,000.00; and

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

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

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

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

1. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$400,000.00 and any other necessary documents, with MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., PO BOX 305, Bordentown, NJ 08505-0305 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. 53804/T-0109.

RESOLUTION R.500-062011

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT TO TAPE-TEL ELECTRONICS, INC. FOR HEADSETS AND ACCESSORIES FOR THE DIVISION OF POLICE

WHEREAS, quotes were solicited by The Township of Edison for headsets and accessories for Division of Police; and

WHEREAS, TAPE-TEL ELECTRONICS, INC., 35 Walnut Avenue, Clark, NJ 07066 submitted the lowest quote in the amount of \$14,744.25; and

WHEREAS, funds in the amount of \$14,744.25 have been certified to be available in the Enhanced 9-1-1 Equipment Grant 09 Account, No. G-02-09-0240-742-000; and

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

1. All quotes have been reviewed, and the quote as submitted by TAPE-TEL ELECTRONICS, INC., 35 Walnut Avenue, Clark, NJ 07066 for headsets and accessories for the Division of Police, is determined to be the lowest quote.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount of \$14,744.25, and any other necessary documents, with TAPE-TEL ELECTRONICS, INC.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$14,744.25 are available for the above contract in Account No. G-02-09-0240-742-000.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.501-062011

RESOLUTION AUTHORIZING A PUBLIC SALE PURSUANT TO N.J.S.A. 39:10A-1 ET. SEQ. OF SIXTY (60) VEHICLES THAT WERE FOUND ABANDONED AND WERE RECOVERED BY THE EDISON POLICE DIVISION

WHEREAS, in accordance with N.J.S.A. 39:10A-1 et. seq. the Edison Police Division 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, IT IS RESOLVED, by the Township Council of the Township of Edison, that the appropriate township officials are hereby authorized and directed to advertise and auction 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.

RESOLUTION R.502-062011

RESOLUTION AUTHORIZING A REIMBURSEMENT TO ASSET MANAGEMENT CONSULTANTS FOR OVERPAYMENT OF OPRA FEES

WHEREAS, ASSET MANAGEMENT CONSULTANTS, 12841 Fitzwater Drive, Nokesville, VA 20181 paid \$665.00 on check number 4415 dated November 12, 2009 for OPRA fees, and

WHEREAS, the correct OPRA fees were \$230.75 resulting in an overpayment of \$434.25; 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 \$434.25 to ASSET MANAGEMENT CONSULTANTS, 12841 Fitzwater Drive, Nokesville, VA 20181, which amount represents the amount of overpayment for OPRA fees.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed \$434.25 are available for the above refund in Account No. 1-01-35-0470-000-020.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.503-062011

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2011; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2011, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2011.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-031-004	Kamini, LLC T/A Brunswick Edison Bowl-O-Mat 1695 Oak Tree Road	Edison, NJ 08820

RESOLUTION R.504-062011

EXPLANATION: This Resolution provides authorization and permission from the Municipal Council of the Township of Edison Counsel to Garden State Fireworks to discharge fireworks for an Independence Day celebration at the Plainfield Country Club, scheduled for July 2, 2011 with a rain date of July 3, 2011.

WHEREAS, Garden State Fireworks has applied to the Township of Edison for a permit to discharge fireworks on July 2, 2011 with a rain date of July 3, 2011, 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 Deputy Chief of Fire, and the Fire Official having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, in the County of Middlesex, 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 2, 2011 With a rain date of July 3, 2011 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.** an Engine Stand-By fee for Edison fireman in the amount of \$100.00 is made payable to the Township of Edison;
3. The Division of Fire and or The Fire Official shall have full enforcement and oversight 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 true copy of this Resolution to Garden State Fireworks, to the Division of Fire, to the Division of Police, and to the Fire Prevention Bureau.

RESOLUTION R.505-062011

Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey™ Grant funded by Wal-Mart

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Edison strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Edison is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by Wal-Mart;

THEREFORE, the Municipal Council of the Township of Edison has determined that the Township should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Municipal Council of the Township of Edison, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by Wal-Mart, at a regularly-scheduled, public meeting on June 22, 2011.

RESOLUTION R.508-062011

WHEREAS, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 1426, has been certified as a Collective Bargaining agent; and

WHEREAS, the Administration has negotiated a Collective Bargaining Agreement with Local 1426, which agreement requires the approval of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that they Mayor and Township Clerk are hereby authorized to execute an agreement with the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 1426, for the period from January 1, 2011 through December 31, 2014.

The following Resolutions will be voted upon separately:

RESOLUTION R.164-032011

Explanation: This Resolution increases the permissible expenditures for the Professional Services Contract awarded to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney.

WHEREAS, by Resolution R.032-012010 adopted on January 13, 2010 the Township of Edison awarded a contract to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney; and

WHEREAS, by Resolution R.719-112010 adopted on November 22, 2010 the Township of Edison amended Resolution R.032-012010 and increased the authorized contract to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney in an amount not to exceed \$100,000; and

WHEREAS, by Resolution R. 015-012011 adopted on March 9, 2011 the Township of Edison amended Resolution R.719-112010 and increased the authorized contract to Karl Kemm, Esq., and Hoagland, Longo, Moran, Dunst & Doukas, LLP, to represent the Township of Edison as Township Attorney in an amount not to exceed \$160,000; and

WHEREAS, additional funds in the amount of \$11,704.00 are needed to pay for legal services rendered in CY2010 for a total for CY 2010 of \$171,704.00; and

WHEREAS, funds in the amount of \$11,704.00 have been certified to be available in Account No. 0-01-20-0155-001-027.

WHEREAS, all other terms and conditions of the original Resolution, as amended, shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, County of Middlesex, and State of New Jersey, that Resolution R. 015-012011, as amended, is hereby amended solely to provide for the additional payment in the amount of \$11,704.00.

CERTIFICATION

I hereby certify that additional funds in the amount of \$11,704.00 are available in Account No. 0-01-20-0155-027.

/s/ Frank DeRosa
Acting Chief Financial Officer

RESOLUTION R.165-032011

Explanation: This Resolution increases the permissible expenditures for the Professional Services Contract awarded to Louis Rainone, Esq., and DeCotis, FitzPatrick & Cole, LLP, to represent the Township of Edison as Labor Counsel and other matters.

WHEREAS, by Resolution R.033-012010 adopted on January 13, 2010 the Township of Edison awarded a contract to Louis Rainone, Esq., and DeCotis, FitzPatrick & Cole, LLP, to represent the Township of Edison as Labor Counsel; and

WHEREAS, by Resolution R.625-102010 adopted on October 27, 2010 the Township of Edison amended Resolution R.033-012010 and increased the authorized contract to Louis Rainone, Esq., and DeCotis, FitzPatrick & Cole, LLP, to represent the Township of Edison as Labor Counsel in an amount not to exceed \$120,000; and

WHEREAS, by Resolution R. 014-012011 adopted on March 9, 2011 the Township of Edison amended Resolution R.719-112010 and increased the authorized contract to Louis Rainone, Esq., and DeCotis, FitzPatrick & Cole, LLP, to represent the Township of Edison, LLP, to represent the Township of Edison as Township Attorney in an amount not to exceed \$190,000 [\$170,000]; and

WHEREAS, additional funds in the amount of \$25,340.00 are needed to pay for legal services rendered in CY2010 for a total for CY 2010 of \$195,340.00; and

WHEREAS, funds in the amount of \$11,704.00 have been certified to be available in Account No. 0-01-20-0155-002-027.

WHEREAS, all other terms and conditions of the original Resolution shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, County of Middlesex, and State of New Jersey, that Resolution R. 014-012011, as amended, is hereby amended solely to provide additional funds in the amount of \$25,340 for legal services rendered in CY 2010.

CERTIFICATION

I hereby certify that additional funds in the amount of \$25,340.00 are available in Account No. 0-01-20-0155-002-027.

/s/ Frank DeRosa
Acting Chief Financial Officer

Councilmember Dr. Prasad said even though the amounts are small, he felt we should decide whether or not we should hire the attorneys for 2011 before any more payments are made.

Council President Diehl said these are bills for 2010.

A motion was made by Councilmember Prasad, seconded by Councilmember Mascola to adopt Resolutions R.164-032011 and R.165-032011.

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

NAYS - None

RESOLUTION R.463-062011

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JUNE 16, 2011

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 16, 2011

FUND	AMOUNT
Current	\$16,744,958.16
Dog (Animal Control)	839.20
Sewer Utility	36,753.45
Capital	264,098.53
CDBG	0.00
Trust	43,690.63
Grant Funds	5,554.55
Sanitation Fund	1,407,073.92
Payroll Deductions	402,534.78
Park Improvements	0.00
Developers Escrow	31,229.17
Cash Performance	97,706.61
Federal Forfeited	0.00
Tax Sale	108,246.32
Law Enforcement	426.55
Affordable Housing	0.00
Tree Planting	6,934.69
Water Operation	0.00
TOTAL	\$19,150,046.56

/s/ Frank DeRosa
Acting Chief Financial Officer

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

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

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

NAYS - None
Councilmember Lankey abstained from voting.

RESOLUTION R.467-062011

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FAI-GON ELECTRIC, INC. FOR THE DESIGN-BUILD OF A FLAT ROOF BALLAST MOUNTED PV SOLAR ELECTRIC SYSTEM FOR THE MUNICIPAL BUILDING

WHEREAS, bids were received by the Township of Edison on May 3, 2011 for Public Bid No. 11-03-29, Design-Build of a Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building; and

WHEREAS, FAI-GON ELECTRIC, INC., 140 11th Street, Piscataway, NJ 08854 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase is \$630,000.00 and funds have been certified to be available in US DOE EECBG Grant Account, Number G-02-10-0100-806-001, subject to and contingent upon receiving the grant funds.

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 FAI-GON ELECTRIC, INC., 140 11th Street, Piscataway, NJ 08854 for the Design-Build of a Flat Roof Ballast Mounted PV Solar Electric System for the Municipal Building, 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 \$630,000.00, and any other necessary documents, with FAI-GON ELECTRIC, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$630,000.00 are available for the above contract in Account No. G-02-10-0100-806-001, subject to and contingent upon receiving the grant funds.

/s/ Frank DeRosa
Acting Chief Financial Officer

Councilmember Dr. Prasad said it is hard to say “no” to a grant that benefits the Township even though he felt the Council could have been better informed. He will be supporting this.

Councilmember Karabinchak agreed with Councilmember Dr. Prasad. He will be reluctantly supporting this. He felt the method of how we got here was incorrect. He will be looking for a consultant contract at the next council meeting. He noted that Mr. Medina said he will try to do the best he can.

Mr. Stephens said most of the recommendations will be added.

Council President Diehl said he will support this. He understands some of the reservations and appreciated the healthy discussion on this. He said perhaps the qualified people on the current Finance Committee can put their heads together and do better.

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

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

NAYS - None

RESOLUTION R.506-062011

EXPLANATION: This Resolution requests the Legislature of the State of New Jersey to fairly distribute the state aid for education to the school districts in this State.

WHEREAS, the Township of Edison believes that every child should have equal resources of state aid distributed by the legislature for an education in the State of New Jersey by utilizing a fair school funding mechanism; and

WHEREAS, the current distribution of state aid for education to the schools has not been distributed in a fair and equitable manner to provide property tax relief to all the citizens of the State of New Jersey; and

WHEREAS, Article III., Paragraph 1, of the New Jersey State Constitution states, “The powers of government shall be divided among three distinct branches, the legislative, executive, and judicial. No person or persons belonging to or constituting one branch shall exercise any of the powers properly belonging to either of the others, except as expressly provided in this Constitution”; and

WHEREAS, Article VIII, Section IV, Paragraph 1, of the New Jersey State Constitution states “the Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all children in the State between the ages of five and eighteen years”; and

WHEREAS, Article VIII, Section IV, Paragraph 2, of the New Jersey State Constitution states, “the fund for the support of free public schools . . . shall be annually appropriated to the support of free public schools, and for the equal benefit of all the people of this State”; and

WHEREAS, Article VIII, Section I, Paragraph 7.a. of the New Jersey State Constitution states, the income tax is to be “annually appropriated . . . exclusively for the purpose of reducing or offsetting property taxes”; and

WHEREAS, the Township of Edison and its taxpayers can no longer bear the burden of the continued diversion of its fair share of state school aid for the students between the ages of five and eighteen years of age who reside within the Township of Edison.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey do hereby call upon the Legislature of the State of New Jersey to fulfill its constitutionally assigned duty to distribute the state aid for education to the school districts in this state in a fair manner that is for the equal benefit of all the people of the State and not by means that are prejudiced by the actions of special interests that may have been presented before the Court or other venue.

BE IT FURTHER RESOLVED, that the Clerk of this entity is hereby directed to forward a copy of this resolution to Governor Chris Christie, Senate President Sweeney, Senate Minority Leader Thomas Kean Jr., Assembly Speaker Sheila Oliver and Assembly Minority Leader Alex DeCroce, the Commissioner of Education, our local legislators Senator Barbara Buono, Assemblyman Peter J. Barnes III, Assemblyman Patrick J. Diegnan Jr., and all Middlesex County municipalities, all local School Boards in Middlesex County, the Middlesex County School Board and the League of Municipalities.

Councilmember Karabinchak said this is the second Resolution the Council is putting forward to address State aid to schools. He does not believe the current funding is fair and equitable.

Council President Diehl agreed because this is something near and dear to his heart. Edison is not alone. There are a lot of districts like Edison that fall in the bottom of the “U” and do not get their fair share. He said if they started calculating fair share, each resident would receive a \$1,000 reduction in tax bills.

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

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

NAYS - None

RESOLUTION R.507-062011

WHEREAS, the International Association of Fire Fighters Local No. 1197, has been certified as the Collective Bargaining agent for the Township; and

WHEREAS, a Memorandum of Agreement has been negotiated pertaining to this agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that they Mayor and Township Clerk are hereby authorized to execute a Memorandum of Agreement and Collective Bargaining Agreement with the International Association of Fire Fighters Local No. 1197, for the period from January 1, 2010 through December 31, 2013.

RESOLUTION R.509-062011

WHEREAS, the International Association of Fire Fighters Local No. 2883, has been certified as the Collective Bargaining agent for the Township; and

WHEREAS, a Memorandum of Agreement has been negotiated pertaining to this agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that they Mayor and Township Clerk are hereby authorized to execute a Memorandum of Agreement and Collective Bargaining Agreement with the International Association of Fire Fighters Local No. 2883, for the period from January 1, 2010 through December 31, 2013.

Councilmember Perilstein said we just recently received both contracts. She acknowledges the wonderful job the Edison Fire Department does. She said there is contention over some items that were not even brought to negotiation. This has nothing to do with the profession. She has real issues on the financial status of the Township and the budget. She felt the Finance Committee should be commended for what they did with what they had. She felt this is another missed opportunity with negotiations. She said the Administration needs to talk about benefits and how to get on a more sustainable path. She spoke about the Administrations infomercial about the State Health benefit plan. She felt this is unsustainable and she spoke about prescription benefits. She asked why we are not negotiating to increase the co-pays. She felt these items should have been brought to the table.

Councilmember Mascola said two and a half years ago, he pushed the Administration to switch from a fiscal to a calendar year. This was supposed to buy time because they knew there were two major contracts up for renewal. He felt they bypassed this opportunity with the Police and Fire.

Councilmember Dr. Prasad agreed with Councilmember Perilstein that this was a failure of the Administration to solve a problem. He said the Firefighters do a good job especially with the lack of manpower and he commends them. He would rather support better manpower than negotiate a contract which has no equal in the private sector. He felt the Administration missed opportunities and fails to take responsibility for the numbers. He is disappointed with the effort put in by this Administration. He will not support this. It is not a failure of the Firefighters but of the Administration.

A motion was made by Councilmember Lankey, seconded by Councilmember Karabinchak to adopt Resolutions R.507-062011 and R.509-062011.

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

NAYS - Councilmembers Mascola and Perilstein

COMMUNICATIONS

- a. Electronic Mail Message from James Walsh regarding June 8th Council meeting comments - receive

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

ORAL PETITIONS AND REMARKS

Council President Diehl opened the meeting for public comment.

Jane Tousman, 14 Butler Road, asked when we will see the second elevator fixed.

Mr. Stephens said it is in the final stretch and is scheduled for inspection.

Charles Tomaro, 4 Waverly Drive East, thanked the Administration and the organizations that were part of the Hands of Hope Health Fair.

Lois Wolke, 10 Peake Road, asked who negotiated the Fire contracts.

Mr. Stephens said the union negotiating team, Mr. Rainone, Mr. Gonzalez and himself. He said there was an arbitrator involved and this is the agreement the arbitrator worked out.

Ms. Wolke asked if there are non- union employees who have not received raises for years.

Mr. Stephens said there are some employees who have not had raises for three years.

Ms. Wolke said the Police contract set the benchmark for everything the Administration was going to do. She said she would have worked on the benefits in the contracts.

Walt Shneer, Park Way, asked who cleans up after the parade.

Mr. Stephens said normally public works does this.

Mr. Kemm said the organizers are charged for this.

Mr. Shneer asked about the porcelain signs for no dumping and how much they cost.

Mr. Stephens said \$15.

Mr. Shneer said he would donate the \$15 to have a sign put on Park Way and Prospect. He said people are dumping grass, Christmas trees, etc.

Mr. Stephens said we will get the sign and put it up because Mr. Shneer does so much for the Township.

Mr. Shneer spoke about the First Aid Squad on Woodbridge Avenue. He said the manhole collapsed. He also spoke about a garbage truck on the roadway that had liquid pouring out of it.

Mr. Stephens asked if it was one with a hopper because water does runs out of them when it is a rainy day. He asked Mr. Shneer to give Mr. Elliott a call next time he sees this.

Bruce Diamond, Calvert Avenue West, said the level of civility in Council Chambers has not been good and it is unappealing. He felt everyone should work together and be respectful. He said when the budget is maintained at zero he felt it is because services are reduced and that is not good. He does not understand how twelve Police Officers per shift can handle traffic accidents. He would like to see a three way stop sign on Calvert at Wayne Court and Oliver. He spoke about numerous accidents near his home. He asked what residents pay per month for garbage pick up.

Mr. Stephens said it is about twenty nine cents per one hundred dollars of assessed value.

Mr. Diamond asked if the garbage pick up loses money.

Mr. Stephens said when we start losing money the tax has to be increased.

Mr. Diamond said there has been more than one Ordinance lately that the Council had drawn up that has been deemed illegal. He suggested having more than one attorney.

Mr. Stephens said every time the Mayor vetoed an Ordinance, the Council was told that it was illegal and there were issues.

Mr. Diamond also asked for a yellow line down Calvert Avenue.

Tom Gockel, 77 Safran Avenue, thanked Councilmember Perilstein because she was right on the mark regarding the contracts. As he travels through the County, he notices stanchions at crosswalks. He asked for the stanchion to be replaced on the crosswalk by Ford Avenue. He said concern was voiced at the beginning of the meeting that we have only one Police Capitan. He asked where the concern was when there were eight Captains. He said civil service employees pay 50% of their hospitalization and when they retire they pay 75%. He also explained the co-pays.

Carl Peter Clapper, 61 Fairview Avenue, presented a proposal to the Council several meetings ago regarding health benefits. He felt we should establish a medical program for employees and residents. By eliminating the middle man it would put an end to the increasing cost of medical care. He spoke about his father being a surgeon and he had a sliding scale of rates for patients. He urged the Township to form a medical department and hire doctors and nurses. He said he did not have health insurance over certain periods of time in his life.

Councilmember Dr. Prasad asked how he would pay for something if he did not have health insurance. He said one illness could end up costing a lot of money.

Fred Wolke, 10 Peake Road, spoke about a health bill that will increase the cost of benefits to municipal employees. He asked if this affects the contracts already negotiated.

Mr. Stephens said most of the membership will end up paying the money.

Burton Gimelstob, 6 Churchill Road, said he was told by July 4th there would be a new Business Administrator.

Council President Diehl said at the last council meeting this was discussed and he asked the status.

Mr. Stephens said the Mayor is ready to have the candidates speak to the Council.

Mr. Gimelstob asked when the next meeting will be.

Mr. Stephens said the Council can agree to entertain the candidates at the next meeting.

Mr. Gimelstob asked if they are still looking at dates for the Committee of the Whole.

Mr. Stephens said the Mayor is looking for July and August. He was concerned with Mr. Gimelstob's comments about the Mayors public events.

Council President Diehl felt Mr. Gimelstob is not saying anything out of bounds and he will correct him if he does.

Mr. Gimelstob felt the Mayor has failed and is not the Mayor of Edison. He felt contracts with the Indian organizations failed. He said Mr. Laird has left and he asked Mr. Stephens to resign. He asked what has to be done to ensure that reports and computers have not been destroyed.

Mr. Stephens said Mr. Laird is on the books until July 1st. He went through the same exit procedure as any other employee. He has never seen him shred anything.

Esther Nemitz, 162B Fay Street, asked the status of the application for an Assistant Zoning Officer.

Mr. Stephens said the advertisement closed on Friday and by mid week, the job will be offered to someone. Right now we only have money to pay for one.

Ms. Nemitz discussed the farmers market and noted it starts on Sunday. She spoke about May Street and left turns and said she is opposed to any left turns from May Street.

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

Councilmember Dr. Prasad said the Dushara Festival is scheduled for August 14th. He said the spectacle over the past few days is not about IBA or Oak Tree. It is about the people. He said the independence of India freed many people. What happened here does not lead credibility to the event that has happened over the past several years. Now one group has one permit and the other group has another permit. He knows there were good intentions but he does not understand the basis of the decision that was made. He said the Council tried bringing both sides together. He felt there will be no parade.

Having no further business to discuss, on a motion made by Councilmember Lankey, seconded by Councilmember Perilstein, the meeting was adjourned at 10:59 p.m.

Robert Diehl
Council President

Reina A. Murphy, RMC
Municipal Clerk