

**EAST BRUNSWICK TOWNSHIP COUNCIL
MEETING MINUTES
January 2, 2023**

Township of East Brunswick
1 Jean Walling Civic Center Dr.
East Brunswick, New Jersey



Reorganization Meeting: X
Special Meeting: N/A
Meeting Time: 7:30 P.M.

Township Clerk Lawful called the meeting to order at 7:30 p.m. The Governing Body and its audience proceeded with the Pledge of Allegiance, followed by a Moment of Silence.

Administration of Oath – Elected Officials:

The following elected Council Members were sworn in in the following order:

- Councilman Kevin McEvoy was sworn in by Senator Patrick Diegnan.
- Dana Winston was sworn in by Mayor Brad Cohen.
- Councilman James Wendell was sworn in by Mayor Brad Cohen.
- Councilwoman Zimbicki was sworn in by Assemblyman Sterley Stanley.

The Township Clerk, Tamar Lawful, called the roll:

Present: Councilman Behal
Councilman McEvoy
Councilman Wendll
Councilwoman Winston
Councilwoman Zimbicki

Also Present: Mayor Brad Cohen
Michael Baker, Township Attorney
Joseph Criscuolo, Administrator
Tamar Lawful, Township Clerk
Loren Morace, Deputy Clerk

The Township Clerk, Tamar Lawful, read the Statement of Adequate Notice:

Adequate notice of this meeting has been provided as required under Chapter 231, P. L. 1975, by specifying the time, date, location, and to the extent known, the agenda, by posting a copy on the Bulletin Board located in the main lobby of the East Brunswick Municipal Building, providing a copy to the Home News Tribune and Sentinel newspapers, posting a copy on the Township's website and by filing a copy in the office of the Township Clerk which will be entered into the minutes.

COUNCIL PRESIDENT NOMINATION

Resolution # 23-01 Resolution Appointing the Township Council President (2023)

Councilwoman Zimbicki nominated Councilman Kevin McEvoy as Council President for the year 2023, seconded by Councilman Behal. With no discussion, Township Clerk Lawful called the roll:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
McEvoy					X	
Wendell			X			
Winston			X			
Zimbicki	X		X			

By a unanimous Roll Call Vote, the Resolution # 23-01 was approved

Council President, Kevin McEvoy, assumed his position and took control of the meeting.

COUNCIL VICE PRESIDENT NOMINATION

Resolution # 23-02 Resolution Appointing the Township Council Vice President (2023)

Councilwoman Winston nominated Dana Zimbicki as Council Vice President for the year 2023, seconded by Councilman Wendell. With no discussion on the nomination, Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal			X			
Wendell		X	X			
Winston	X		X			
Zimbicki					X	
McEvoy			X			

By a unanimous Roll Call Vote, the Resolution # 23-02 was approved.

Each Council Member gave speeches of honor as an elected or re-elected Council Official and/or as the newly appointed Council President and Council Vice President.

HONORARY RESOLUTION

Resolution # 23-03 Resolution Honoring Council Member Sharon Sullivan for her Exemplary Services to the Township of East Brunswick

The following resolution was read by Councilwoman Zimbicki:

RESOLUTION HONORING COUNCIL MEMBER SHARON SULLIVAN FOR HER EXEMPLARY SERVICES TO THE TOWNSHIP OF EAST BRUNSWICK

WHEREAS, on November 6, 2018, Sharon Sullivan was elected by the voters of the Township of East Brunswick to serve a 4-year term on the Township Council; and

WHEREAS, during her term in elected office, Councilwoman Sullivan continually sought to improve the quality of life for Township residents and expertly demonstrated foresight, leadership, and fiscal responsibility in policy decisions and operations of the Township's government; and

WHEREAS, in 2021, she serviced as Council President on the Township Council providing guidance and leadership in the Township Council; and

WHEREAS, during her tenure on the Township Council, Sharon devoted innumerable hours towards the Mayor Cohen's Charity Fund, which is dedicated to serve the community and residents in need of assistance; she further served countless hours on the Planning Board, and worked enthusiastically with the Recreation and Parks Advisory Board to enhance the community; and

WHEREAS, Sharon is widely known for her dedication to the Township and has an exemplary spirit of volunteerism to improve the community for her family and our residents. She is a member of the East Brunswick Municipal Alliance, which works to support educational efforts for the prevention of drug and alcohol misuse and abuse; she is a member of the American Cancer Society; she is a member of the Wine and Roses Gala Committee, which raises approximately \$400,000.00 annually to support the cause of the American Cancer Society; she is a member of the Pink & Bloom Foundation; and she is also the First Chairperson of the American Cancer Society Relay for Life, to name only a few organizations for which she has volunteered her time; and

WHEREAS, Sharon has also served as a Committeewoman for her district and presently serves as the Third Vice President of the Democratic Organization; and

WHEREAS, Sharon carried out her duties as an elected official and as a citizen of East Brunswick Township with enthusiasm and in a conscientious, thoughtful, and caring manner, and

always dedicated herself to advancing the spirit of volunteerism that has helped made East Brunswick Township the township we all love; and

WHEREAS, Sharon will always be remembered for her kindness, dedication, camaraderie and fairness when dealing with residents, businesses, and the Township’s workforce.

BE IT RESOLVED, by the Mayor and Township Council of the Township of East Brunswick that they hereby recognize and commend Sharon Sullivan on her leadership, dedication, and enthusiasm for our community as demonstrated throughout her tenure on the Township Council; and

BE IT FURTHER RESOLVED, by the Mayor and Township Council, on behalf of the entire East Brunswick community, that they hereby extend their grateful appreciation to Sharon Sullivan for her four remarkable years of service on the Township Council and commend her for all she has achieved during her tenure on the Township Council. We wish her and her family happiness, and good health in the years to come.

Sharon, thank you for your outstanding service to our community!

Councilman Wendell moved the adoption of Resolution # 23-03, seconded by Councilman Behal.

Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
McEvoy			X			
Wendell	X		X			
Winston			X			
Zimbicki			X			

By a unanimous Roll Call Vote, the Resolution # 23-03 was approved.

Assemblyman Sterley Stanley came forward and gave a speech acknowledging Sharon Sullivan for her exemplary service to the community.

Former Councilwoman Sullivan came forward and thanked everyone for the acknowledgement. She gave a brief speech.

Council President McEvoy recognized and acknowledged a few distinguished guests who attended tonight’s meeting. He enumerated each guest by name.

APPROVAL OF MEETING MINUTES

Resolution # 23-04 Resolution Adopting Meeting Minutes – January 2, 2023

Councilman Wendell moved the adoption of Resolution #23-04, seconded by Councilwoman Zimbicki. With no recommended changes to the meeting Minutes, Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal			X			
McEvoy			X			
Wendell	X		X			
Winston					X	
Zimbicki		X	X			

By a unanimous Roll Call Vote, the resolution adopting the meeting Minutes was approved.

PROCLAMATIONS

There are none.

PRESENTATIONS/DISCUSSION ITEM

There were none.

AGENDA SESSION (DISCUSSION ONLY- NO VOTE)

There were none.

**ORDINANCE(S) FOR SECOND READING AND
*** PUBLIC HEARING *****

There are none.

REPORTS

Brad Cohen, Mayor: Mayor Cohen congratulated all elected council members.

Joseph Criscuolo, Administrator: Mr. Criscuolo acknowledged each department heads for their commitment and service to the community.

Michael Baker, Township Attorney: Mr. Baker congratulated the elected council members and thanked them for his appointment as Township Attorney.

Tamar Lawful, Township Clerk: Ms. Lawful had nothing further to report.

Dinesh Behal, Councilman: Councilman Behal had nothing further to report.

James Wendell, Councilman: Councilman Wendell had nothing further to report.

Dana Winston, Councilwoman: Councilwoman Winston had nothing further to report.

Dana Zimbicki, Vice Council President: Councilwoman Zimbicki had nothing further to report.

Kevin McEvoy, Council President: Council President McEvoy had nothing further to report.

MEETING OPEN TO THE PUBLIC

The Township Clerk read the following:

PUBLIC COMMENT STATEMENT AND TIME LIMIT

The public comment portion of our meeting is to allow the public to bring to the Council’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the East Brunswick Rules of Council, the Council asks the public to limit their comments to **five (5) minutes or less**. At the conclusion of the statements or questions from a member of the public, the Council President, at his or her discretion, may choose to respond, or not respond, or to ask the Administration to respond.

Council President McEvoy opened the meeting to the public.

David Lonski – 15 Kentisbury Circle

Mr. Lonski thanked Sharon Sullivan for her dedicated years of service to the Township. He gave a brief speech speaking of her dedication and character. He further congratulated the elected council members, each of whom has demonstrated leadership and commitment to the community. He considers each individual a friend and wishes them success. He further informed the public of a charitable donation made by the new Township Council.

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There being no further members of the public wishing to be heard, Council President McEvoy closed the Public Session of the meeting.

RESOLUTION(S) [Requiring a separate vote]

There are none.

*****CONSENT AGENDA*****

Resolution # 23-05 through Resolution # 23-57

The following items are considered to be routine and non-controversial items by the Township Council and will be enacted upon by one motion. There will be no separate discussion of these items unless a Council Member so request, in which event, the item will be removed from the Consent Agenda to be discussed, and voted on, following the approval of the remaining items listed on the Consent Agenda.

Appointments – Boards, Commissions, Committees, Coalitions

- Resolution # 23-05 Resolution Authorizing Mayoral Appointment’s for the year 2023 with the Advice and Consent of the Township Council
- Resolution # 23-06 Resolution Appointing Members to the Zoning Board of Adjustment
- Resolution # 23-07 Resolution Appointing Members to the Traffic Advisory Board
- Resolution # 23-08 Resolution Appointing Members to the Cable Advisory Committee

Awarded Professional Services

- Resolution # 23-09 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Township Attorney**)
- Resolution # 23-10 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Labor Relations Counsel**)
- Resolution # 23-11 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Special Legal Counsel/Conflict Attorney**)
- Resolution # 23-12 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Special/Conflict Labor Relations Counsel**)
- Resolution # 23-13 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Bond Counsel**)
- Resolution # 23-14 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Tax Appeal Attorney**)
- Resolution # 23-15 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1 (**Township Engineer**)

- Resolution # 23-16 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Township Auditor)
- Resolution # 23-17 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Municipal Prosecutor)
- Resolution # 23-18 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Public Defender)
- Resolution # 23-19 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Township Risk Management Consulting Services)
- Resolution # 23-20 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Township Redevelopment Consultants)
- Resolution # 23-21 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Township Redevelopment Attorneys)

Qualified Professional Services (Township)

- Resolution # 23-22 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Special Township Planner)
- Resolution # 23-23 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Special Conflict Township Planner)
- Resolution # 23-24 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Township Architectural Services – Special Projects)
- Resolution # 23-25 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “Fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Township Engineer – Special Projects: Environmental, Traffic Signal & Intersection Design, Road, Sewer, Water, Traffic, Parking, Parking Decks)

Qualified Professional Services (Boards)

- Resolution # 23-26 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Library Board Attorney)
- Resolution # 23-27 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Library Board Conflict Attorney)
- Resolution # 23-28 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Library Board Labor Relations Attorney)
- Resolution # 23-29 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Planning Board Attorneys)

- Resolution # 23-30 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Planning Board Planners)
- Resolution # 23-31 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Planning Board Engineers)
- Resolution # 23-32 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Zoning Board of Adjustment Attorneys)
- Resolution # 23-33 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Zoning Board of Adjustment Planners)
- Resolution # 23-34 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “fair and Open Process,” N.J.S.A. 19:44A-20.1
(Qualified Zoning Board of Adjustment Engineers)

Appointments – Miscellaneous

- Resolution # 23-35 Resolution Appointing Lorraine Maher as the Certified Tax Collector for the Township of East Brunswick
- Resolution # 23-36 Resolution Appointing Tamar Lawful as a Public Agency Compliance Officer for the Township of East Brunswick in Awarding of Contracts Pursuant to P.L. 1975 c. 127 (N.J.A.C. 17:27)
- Resolution # 23-37 Resolution Authorizing the Township of East Brunswick, County of Middlesex, State of New Jersey to Continue as a Member of the North Jersey Wastewater Cooperative Pricing System, NJWCPS
- Resolution # 23-38 Resolution Appointing a Fund Commissioner and Safety Representatives to the Central Jersey Joint Insurance Fund
- Resolution # 23-39 Resolution of the Township of East Brunswick Appointing Emergency Management Coordinator and Correcting the Term of Appointment
- Resolution # 23-40 Resolution Appointing Members of the East Brunswick Office of Emergency Management
- Resolution # 23-41 Resolution of the Township of East Brunswick Appointing Affirmative Action Officers
- Resolution # 23-42 Resolution Authorizing the Appointment of Special Law Enforcement Officers
- Resolution # 23-43 Resolution Authorizing the Tax Assessor to File Appeals and Execute Stipulations of Settlement on Behalf of the Township of East Brunswick

Mandatory Resolutions

- Resolution # 23-44 Resolution Designating the Official Newspaper for the Township of East Brunswick for the Year 2023
- Resolution # 23-45 Resolution to Affirm the Township of East Brunswick’s Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Official and Volunteers
- Resolution # 23-46 Resolution Authorizing the Governing Body to Sign the Certification of Compliance with the United States Equal Employment Opportunity

Commission’s “*Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under title VII of the Civil Rights Act of 1964*”

Resolution # 23-47 Resolution Affirming the Township of East Brunswick Assurance of Compliance with the Civil Rights Requirements and with Title VI of the Civil Rights Act of 1964

Finance

Resolution # 23-48 Resolution Adopting the 2023 Cash Management Plan in Accordance with N.J.S.A. 40A:5-14

Resolution # 23-49 Resolution Authorizing an Electronic Tax Sale

Resolution # 23-50 Resolution Authorizing Mailing and Advertising of Tax Sale Notices

Resolution # 23-51 Resolution Granting Discretion to the Tax Collector for the Cancellation of Property Tax Refunds or Delinquent Amounts for All Municipal Charges of \$10.00 or Less

Resolution # 23-52 Resolution Authorizing Interest Rate/Grace Period/Year End Penalty

Resolution # 23-53 Resolution Authorizing Contracts with Approved State Contract Vendors During the Year 2023 Pursuant to N.J.S.A. 40A:11-12a

Resolution # 23-54 Resolution Authorizing Temporary Appropriations for the Year 2023

Resolution # 23-55 Resolution Approving the Bill List

Awarded Professional Services

Resolution # 23-56 Resolution Awarding Contracts for Various Legal and Professional Services Pursuant to the “Fair and Open Process,” N.J.S.A. 19:44A-20.1 (Township Appraisal Services)

Appointments – Council Member(s)

Resolution # 23-57 Resolution Appointing Council Member to the Planning Board for 2023

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CONSENT AGENDA VOTE

Councilman Wendell moved the adoption of the resolutions listed on the Consent Agenda, Resolution # 23-05 through Resolution # 23-57. Councilman Behal seconded the motion.

Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
McEvoy			X			
Wendell	X		X			
Winston			X			
Zimbicki			X			

By a unanimous Roll Call Vote, the resolutions listed on the Consent Agenda were approved.

RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

There were none.

ORDINANCE(S) FOR INTRODUCTION

There were none.

ADD-ON RESOLUTION

There were none.

UNFINISHED BUSINESS/NEW BUSINESS

There were none.

FOR THE GOOD OF THE CAUSE

James Wendell, Councilman: Councilman Wendell acknowledged Sharon Sullivan and expressed how he enjoyed working with her and appreciated what she has done and will continue to do to improve our community.

Dana Winston, Councilwoman: Councilwoman Winston shared the same sentiment, expressing that she is deeply grateful for Sharon Sullivan and wished her all the best.

Brad Cohen, Mayor: Mayor Cohen expressed that many people will not be able to fill the shoes of Sharon Sullivan. He wished her well on her new chapter.

CLOSED SESSION

There were none.

ADJOURNMENT

Having no other business to conduct, Councilman Behal moved to adjourn the meeting. Councilwoman Winston seconded the motion. All were in favor. The meeting was adjourned at 8:27 p.m.



KEVIN MCEVOY, COUNCIL PRESIDENT

ATTEST:



TAMAR LAWFUL, MUNICIPAL CLERK

