

**EAST BRUNSWICK TOWNSHIP COUNCIL
MEETING MINUTES
January 9, 2023**

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



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

Council President McEvoy 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.

The Township Clerk, Tamar Lawful, called the roll:

Present: Councilman Behal
Councilwoman Winston
Councilwoman Zimbicki
Council President McEvoy

Absent: Councilman Wendell

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.

APPROVAL OF MEETING MINUTES

Resolution # 23-58 Resolution Adopting Meeting Minutes – January 2, 2023

Councilman Behal moved the adoption of Resolution #23-58, seconded by Councilwoman Winston. With no recommended changes to the Minutes, Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE:						
Council Member	Motion	Second	Yes	No	Abstain	Absent
Behal	X		X			
Wendell						X
Winston		X	X			
Zimbicki			X			
McEvoy			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 informed the public that the Township is working towards hiring a marketing officer. This effort will help to ensure residents and members of the public are informed about services and events held by the Township.

Joseph Criscuolo, Administrator: Mr. Criscuolo had nothing new to report.

Michael Baker, Township Attorney: Mr. Baker had nothing new to report.

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

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

James Wendell, Councilman: Councilman Wendell was absent.

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

Dana Zimbicki, Councilwoman: Councilwoman Zimbicki had nothing new to report.

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

MEETING OPEN TO THE PUBLIC

The Township Clerk read the following:

PUBLIC COMMENT STATEMENT

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.

Steven Weinberg – 2 Sycamore Street

Mr. Weinberg spoke about his environmental concerns, and the potential threat to the environment posed by a proposed power plant to be built in the Township of Woodbridge. He explained that several municipalities have joined in the initiative to oppose the power plant and requested the Township Council to do the same by resolution.

Katherine Nguyen – 5 Old Tennent Court

Ms. Nguyen spoke against the proposed powerplant to be built in the Township of Woodbridge. She explained that 1.75 of the earth’s resources is used each year, and must be reduced in order to sustain the environment. Adding a power plant would further increase our carbon footprint and would be detrimental to our environment. Our society must do better.

Yan Bregman – 4 Troy Court

Mr. Bregman expressed his surprise for the 2022 General Election results.

Drew Weingarh – 2705 Commons Drive

Mr. Weingarh thanked former Councilwoman Sharon Sullivan for her service to the community. He informed the Council that Middlesex County is conducting a freight movement study and encouraged the Township to join to examine the traffic and truck concerns within the Township. He also noted that Civic Ready is a useful resource and is very easy to navigate.

John Hsu - 219 West Shirley Avenue [Edison]

Mr. Hsu expressed his love for the East Brunswick community and advocated for the opposition of the proposed powerplant in the Township of Woodbridge. He encouraged the Township Council to pass a resolution opposing the proposed powerplant. The passage of a resolution will help ensure continuous clean air quality, protect the health of our children, and possibly get the attention of NJDEP. He also spoke of fracking, its ban in New Jersey, and its consequences for the environment.

Tom Ingrisani - 58 Deerfield Road

Mr. Ingrisani inquired about the status of a second garbage schedule and its cost. He further stated that his taxes increased by \$600.00. He inquired whether redevelopment projects would offset the tax increases. In further spoke about the extension of the East Brunswick High School and the discovery of arsenic within the grounds of the school.

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]

Resolution # 23-59 Resolution Authorizing a Budget Transfer in Accordance with N.J.S.A. 40A:4-58 [No less than 2/3 vote of full membership required]

Councilwoman Zimbicki moved the adoption of Resolution # 23-59, seconded by Councilman Behal.

Council President McEvoy requested a roll call vote on the Consent Agenda:

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

By a unanimous Roll Call Vote, the Resolution # 23-59 was approved.

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

Resolution # 23-60 through Resolution # 23-63

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.

Resolution # 23-60 Resolution of the Township of East Brunswick Authorizing the Submission of a Grant Application to the Department of Community Affairs for the

2023 Local Recreation Improvement Grant for the Improvement of the Washington Heights Park Playground Equipment

- Resolution # 23-61 Resolution Authorizing the Approval of a Corporate Structure Person-to-Person Liquor License Transfer from Martini Discount Liquors Inc. to Anna Sienkiel
- Resolution # 23-62 Resolution Appointing Leon Gurevich to the Zoning Board of Adjustment
- Resolution # 23-63 Resolution of the Township of East Brunswick, County of Middlesex, State of New Jersey Authorizing the Establishment of a Bus Stop Along Edgeboro Road on the Southerly Side of Connerty Court

###

CONSENT AGENDA VOTE

Councilman Behal moved the adoption of the resolutions listed on the Consent Agenda, Resolution # 23-60 through Resolution # 23-63. Councilwoman Winston seconded the motion.

Council President McEvoy requested a roll call vote on the Consent Agenda:

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

Council President McEvoy read the following ordinance by title:

ORDINANCE # 23-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMIT TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14 FOR CALENDAR YEAR 2023

Mr. Criscuolo explained the purpose of the ordinance.

Councilwoman Zimbicki moved the adoption of the ordinance on first reading, and that it be published according to the law, and a public hearing on the ordinance be held on January 23, 2023, at the Municipal Building/Court Room, located at 1 Jean Walling Civic Center Drive, in the Township of East Brunswick. Councilman Behal seconded the motion.

Council President McEvoy requested a roll call vote on the introduction of the ordinance:

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

Zimbicki	X		X			
McEvoy			X			

Council President McEvoy read the following ordinance by title:

ORDINANCE # 23-02

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 209, SECTION 40, ENTITLED "SCHEDULE I: NO PARKING," OF THE CODE OF THE TOWNSHIP OF EAST BRUNSWICK TO CHANGE CERTAIN PARKING REGULATIONS ON EDGEBORO ROAD

Mr. Baker explained the purpose of the ordinance.

Councilwoman Zimbicki moved the adoption of the ordinance on first reading, and that it be published according to the law, and a public hearing on the ordinance be held on January 23, 2023, at the Municipal Building/Court Room, located at 1 Jean Walling Civic Center Drive, in the Township of East Brunswick. Councilman Behal seconded the motion.

Council President McEvoy requested a roll call vote on the introduction of the ordinance:

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

Council President McEvoy read the following ordinance by title:

ORDINANCE # 23-03

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 209, SECTION 65, ENTITLED "SCHEDULE XXVI-MID BLOCK CROSSINGS," OF THE CODE OF THE TOWNSHIP OF EAST BRUNSWICK TO ADD A MID-BLOCK CROSSWALK DESIGNATION ON EDGEBORO ROAD

Councilwoman Winston moved the adoption of the ordinance on first reading, and that it be published according to the law, and a public hearing on the ordinance be held on January 23, 2023, at the Municipal Building/Court Room, located at 1 Jean Walling Civic Center Drive, in the Township of East Brunswick. Councilman Behal seconded the motion.

Council President McEvoy requested a roll call vote on the introduction of the ordinance:

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

Council President McEvoy read the following ordinance by title:

ORDINANCE # 23-04

**AN ORDINANCE APPROVING THE DEPARTMENT OF
PARKS, RECREATION & COMMUNITY SERVICE FEE
SCHEDULE**

Councilwoman Zimbicki explained the purpose of the ordinance.

Councilwoman Zimbicki moved the adoption of the ordinance on first reading, and that it be published according to the law, and a public hearing on the ordinance be held on January 23, 2023, at the Municipal Building/Court Room, located at 1 Jean Walling Civic Center Drive, in the Township of East Brunswick. Councilwoman Winston seconded the motion.

Council President McEvoy requested a roll call vote on the introduction of the ordinance:

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

ADD-ON RESOLUTION

There were none.

UNFINISHED BUSINESS/NEW BUSINESS

There were none.

FOR THE GOOD OF THE CAUSE

Dinesh Behal, Councilman: Councilman Behal wished everyone a Happy Lunar New Year. He further thanked the East Brunswick Arts Coalition and the East Brunswick Library for organizing the event, which was held at the East Brunswick Mall on January 7, 2023.

Today is Law Enforcement Appreciation Day. All Police Officers were thanked for keeping our community safe.

Dana Zimbicki, Councilwoman: Councilwoman Zimbicki provided the public with recommendations on where to dispose of their Christmas trees.

Kevin McEvoy, Council President: Council President McEvoy informed the public that the filing deadline for the 2019 Anchor Benefit application benefit program, is January 31, 2023. Benefit checks up to \$1,500.00 will be mailed to eligible residents beginning May 2023. He explained the eligibility requirements.

CLOSED SESSION

Resolution # 23-65 Resolution to adjourn into Closed Session
Re: Matter pertaining to investigation and possible violation of law – Pursuant to N.J.S.A. 10:4-12(6) – “Hearing on massage parlors”

Township Clerk Lawful read Resolution # 23-65 in its entirety.

Councilwoman Zimbicki moved to enter into Closed Session, seconded by Councilman Behal.

Council President McEvoy requested a roll call vote on the Consent Agenda:

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

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

COUNCIL ENTERED INTO CLOSED SESSION

PUBLIC SESSION RESUMED

The public session of the meeting resumed at 8:43 p.m.

The following Council Members were present:

Present: Councilman Behal
Councilwoman Winston
Councilwoman Zimbicki
Council President McEvoy

Absent: Councilman Wendell

Bob Kenny, Esq., a member of the Township Attorney's law firm, explained that negotiations with the Green Vue licensee's attorney Matthew Jeon, Esq., resulted in a settlement. Mr. Kenny put the settlement on the record and Mr. Jeon concurred with the settlement on the record. It was agreed that the business license for the health spa would be suspended for six (6) weeks, (in addition to any prior time the spa was closed), effective February 1, 2023, and ending March 15, 2023. The Licensee also agreed to pay a fine to the Township in the amount of \$5,000.00 on or before April 30, 2023. The Licensee's appeal to the Township Counsel was withdrawn. No additional action was taken.

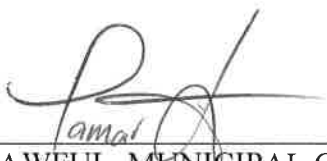
ADJOURNMENT

Having no other business to conduct, Councilwoman Zimbicki moved to adjourn the meeting. Councilwoman Winston seconded the motion. All were in favor. The meeting was adjourned at 8:45 p.m.



KEVIN MEOVOY, COUNCIL PRESIDENT

ATTEST:



TAMAR LAWFUL, MUNICIPAL CLERK

