

**EAST BRUNSWICK TOWNSHIP COUNCIL  
MEETING MINUTES  
January 23, 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  
Councilman Wendell  
Councilwoman Winston  
Councilwoman Zimbicki  
Council President McEvoy

Also Present: Mayor Brad Cohen  
Michael Baker, Township Attorney  
Joseph Criscuolo, Administrator  
Tamar Lawful, Township 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.

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APPROVAL OF MEETING MINUTES

Resolution # 23-65 Resolution Adopting Meeting Minutes – January 9, 2023

Councilman Behal moved the adoption of Resolution #23-65, seconded by Councilwoman Winston. With no recommended changes to the Minutes, Council President McEvoy requested a roll call vote:

RECORDED VOTE OF COUNCIL						
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.

There were none.

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

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 and Mr. Baker explained the purpose of the ordinance.

Councilman Wendell moved that the ordinance be adopted on second and final reading, and that the ordinance be submitted to the Mayor for approval, and thereafter published according to law. Councilman Behal seconded the motion.

**PUBLIC HEARING**

Council President McEvoy opened the meeting to the public for discussion.

There being no members of the public wishing to be heard, Council President McEvoy closed the public hearing.

<b>RECORDED VOTE OF COUNCIL</b>						
Council Member	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
Wendell	X		X			
Winston			X			
Zimbicki			X			
McEvoy			X			

By a unanimous Roll Call Vote, Ordinance # 23-01 was adopted on second reading.

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. Criscuolo explained the purpose of the ordinance.

Councilman Wendell moved that the ordinance be adopted on second and final reading, and that the ordinance be submitted to the Mayor for approval, and thereafter published according to law. Councilwoman Winston seconded the motion.

**PUBLIC HEARING**

Council President McEvoy opened the meeting to the public for discussion.

There being no members of the public wishing to be heard, Council President McEvoy closed the public hearing.

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

By a unanimous Roll Call Vote, Ordinance # 23-02 was adopted on second reading

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**

Mr. Criscuolo explained the purpose of the ordinance.

Councilman Wendell moved that the ordinance be adopted on second and final reading, and that the ordinance be submitted to the Mayor for approval, and thereafter published according to law. Councilman Behal seconded the motion.

**PUBLIC HEARING**

Council President McEvoy opened the meeting to the public for discussion.

There being no members of the public wishing to be heard, Council President McEvoy closed the public hearing.

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

By a unanimous Roll Call Vote, Ordinance # 23-03 was adopted on second reading

Council President McEvoy read the following ordinance by title:

**ORDINANCE # 23-04**

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

Mr. Criscuolo explained the purpose of the ordinance.

Councilwoman Zimbicki moved that the ordinance be adopted on second and final reading, and that the ordinance be submitted to the Mayor for approval, and thereafter published according to law. Councilman Wendell seconded the motion.

**PUBLIC HEARING**

Council President McEvoy opened the meeting to the public for discussion.

There being no members of the public wishing to be heard, Council President McEvoy closed the public hearing.

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

By a unanimous Roll Call Vote, Ordinance # 23-04 was adopted on second reading

REPORTS

**Brad Cohen, Mayor:** Mayor Cohen acknowledged and thanked everyone for the Lunar New Year decorations. He informed the public of a safety seminar at the Senior Center, which will provide safety tips to residents in an effort to prevent pedestrian incidents in the future. The Department of Transportation (DOT) has started construction on Route 18, which includes pavements, drainage improvements, and updating the water main line in the Township. To avoid traffic disruptions, construction will be done at night and on weekends.

The Township will provide road improvements on Whitehall and Tices Lane this year. The project will be funded through grants, not property taxes. PSE&G gasoline upgrades and improvements will continue throughout the township. Trucks and buses are now required to park in commercial zones to improve the appearance and quality of the retail shopping areas on Route 18.

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

**Michael Baker, Township Attorney:** Mr. Baker informed the Council that Swan Spa Massage has requested an appeal on their health spa license. He requested the matter be handled administratively by his firm, and to impose the same penalty as Green Vue Spa Massage through temporary suspension and a fine. The Council unanimously agreed to allow the matter to be handled administratively by the township attorney.

**Tamar Lawful, Township Clerk:** Ms. Lawful reported on the Annual Fire District Election and noted important deadlines. She further reported on the status of the 2023 animal licenses. She acknowledged and congratulated the elected and re-elected Council Members and thanked former Councilwoman, Sharon Sullivan for all she has done for the community and for being a kind, supportive friend.

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

**James Wendell, Councilman:** Councilman Wendell had nothing new to report.

**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.

**Wayne Lyons – 188 Milltown Road**

Mr. Lyons reported on the Annual Fire District Election, to be held on February 18, 2023, from 2:00 p.m. to 9:00 p.m. He respectfully asked the public to support his petition as commissioner. Mr. Lyons has been a fire commissioner for 30 years. He also reminded voters to vote for the fire district's budget.

Thomas Coohill also reminded the public of the 5K Race to be held on July 23, 2023. The race will begin at 9:00 a.m. The event is a great cause, and he appreciates the support.

**John Hsu - 219 West Shirley Avenue [Edison]**

Mr. Hsu thanked the administration for the Lunar New Year decorations and wished everyone a Happy New Year. He voiced his opposition to the proposed power plant for the Township of Woodbridge. For the health of his friends and family, the environment, and our planet, he asked the Township Council to adopt a resolution opposing the power plant.

**Pranita Biglani – 103 Princeton Avenue [Rahway]**

Mr. Biglani explained that he lives 6 miles away from the proposed power plant and is deeply concerned about the health of the children within the area, especially the exposure of those attending nearby schools. He requested the council adopt a resolution opposing the power plant.

**Steven Weinberg – 2 Sycamore Street**

Mr. Weinberg explained that he would be proud if a resolution opposing the power plant gets adopted by the Township Council.

**Loren Fernandez – 98 Colonial Blvd. [Rahway]**

Ms. Fernandez came before the Council as an example for her children to encourage them to make their voices heard. The proposed power plant is 5 miles from her residents and within a 2-mile radius of a school. There have been significant and evident environmental changes. Future generations need the opportunity to live in a sustainable environment with clean air and water. She encouraged the Council to adopt a resolution opposing the power plant.

**Sarah Malik-Hassan – 184 Milltown Road**

Ms. Malik-Hassan urged the Council to adopt a resolution opposing the proposed power plant in Woodbridge. She expressed that she has relatives who suffer from lung disease, and a power plant would further negatively impact their health.

**Tom Ingrisani - 58 Deerfield Road**

Mr. Ingrisani thanked Council President McEvoy for addressing his question concerning taxes. He stated that Comcast has raised its fees by \$35.00. He inquired whether something could be done about the cost.

**Arun Ayyagari – 20 Brookhill Road**

Mr. Ayyagari asked the Governing Body to look into the potholes on and off Cranbury Road. Mr. Criscuolo explained that the roads of reference are county roads, and the county was already alerted about this matter.

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 # 23-66 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]

Councilman Wendell moved the adoption of Resolution # 23-66, seconded by Councilman Behal.

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

By a unanimous Roll Call Vote, the Resolution # 23-66 was approved.

- Resolution # 23-67 Resolution Authorizing the Township of East Brunswick through the East Brunswick Police Department to Participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the East Brunswick Police Department to Request and Acquire Excess Department of Defense Equipment  
 [Per N.J.S.A. 40A:5-30.2 – Majority vote of full membership required]

Councilwoman Zimbicki moved the adoption of Resolution # 23-67, seconded by Councilman Wendell.

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

By a unanimous Roll Call Vote, the Resolution # 23-67 was approved.

**\*\*\*CONSENT AGENDA\*\*\***

Resolution # 23-68 through Resolution # 23-80

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 # 23-68 Resolution of the Township of East Brunswick Authorizing the Tax Collector to Refund Tax/Utility Overpayments
- Resolution # 23-69 Resolution Authorizing Refunds to be Issued Related to Tax Title Lien Redemptions
- Resolution # 23-70 Resolution Authorizing the Cancellation of Property Taxes for the Year 2022, and the Preliminary 2023 Billing, for Block 727, Lot 11.03, for Receiving a 100% Permanently Disabled Veteran Exemption
- Resolution # 23-71 Resolution Authorizing the Acceptance of the STEP Grant from the New Jersey Division of Highway Traffic Safety in the Amount of \$46,800.00 for Fiscal Year 2023 for the Period of October 1, 2022, through September 30, 2023
- Resolution # 23-72 Resolution of the Township of East Brunswick Re-Appointing Angel Albanese as Chief Financial Officer for the Township of East Brunswick Pursuant to N.J.S.A. 40A:9-140.8
- Resolution # 23-73 Resolution Appointing Wilbur Pan to the East Brunswick Ethical Standards Board

- Resolution # 23-74 Resolution of the Township of East Brunswick, County of Middlesex, State of New Jersey, Authorizing the Award of a Competitive Bidding Contract to Black Rock Enterprises for the 2023 Pavement Management Program (Contract # 2023-02) In the Amount Not to Exceed \$1,806,130.09
- Resolution # 23-75 Resolution Authorizing the Approval of Wrecker Licenses for the Year 2023
- Resolution # 23-76 Resolution Authorizing the Release of Performance Guarantee Bond and Cash Escrow for the Timber Road Tract Application for General Site Improvements
- Resolution # 23-77 Resolution Appointing Members to the Zoning Board of Adjustment
- Resolution # 23-78 Resolution Authorizing Council Committee Appointments for the Year 2023
- Resolution # 23-79 Resolution of the Township of East Brunswick Supporting a Sustainable Environment and Oppose a Powerplant in Middlesex County
- Resolution # 23-80 Resolution to Approve the Bill List

**CONSENT AGENDA VOTE**

Councilman Wendell moved the adoption of the resolutions listed on the Consent Agenda, Resolution # 23-68 through Resolution # 23-80. Councilman Behal seconded the motion.

RECORDED VOTE OF COUNCIL						
Council Member	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
Wendell	X		X			
Winston			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 # 23-05**

**A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$2,730,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,600,000 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

Mr. Criscuolo explained the purpose of the ordinance.

Councilman Wendell 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 February 13, 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.

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

By a unanimous Roll Call Vote, Ordinance # 23-05 passed on first reading.

Council President McEvoy read the following ordinance by title:

**ORDINANCE # 23-06**

**A CAPITAL ORDINANCE BY THE TOWNSHIP OF EAST BRUNSWICK PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROPRIATING \$2,518,000.00**

Mr. Criscuolo explained the purpose of the ordinance.

Councilman Wendell 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 February 13, 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.

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

By a unanimous Roll Call Vote, Ordinance # 23-06 passed on first reading.

**ADD-ON RESOLUTION**

There were none.

**UNFINISHED BUSINESS/NEW BUSINESS**

There were none.

**FOR THE GOOD OF THE CAUSE**

**James Wendell, Councilman:** Councilman Wendell commented about the fencing on Beaver Dam Park, located on Fresh Ponds Road. He recommended that the Council consider a more appealing and inviting barrier in place of the existing chain-link fence. Mayor Cohen commented that a more appealing barrier can be considered.

**Dana Zimbicki, Councilwoman:** Councilwoman Zimbicki spoke about various improvements in the community. Parks and Recreation is seeking a grant to expand passive recreation at the Old Foerter Farm. The board is also looking into expanding the youth program. The Office on Aging is thriving and had a successful holiday party attended by 180 seniors. She reported on a few events, such as Kite Day, which will be held on April 15, 2023, followed by Earth Clean-Up Day on April 22, 2023. Last year, the attendance at Crystal Spring Water Park was a success. The community and the interaction with residents are on the right trajectory.



**Kevin McEvoy, Council President:** Council President McEvoy thanked all individuals who volunteered their time towards various boards, commissions, coalitions, and committees in the Township. It is the spirit of volunteerism that makes this community the successful one it is. He thanked everyone for their altruism, teamwork, cooperation, and research to improve the lives of our residents and the community of East Brunswick.

CLOSED SESSION

There are none.

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 8:30 p.m.

  
\_\_\_\_\_  
KEVIN MCEVOY, COUNCIL PRESIDENT

ATTEST:

  
\_\_\_\_\_  
TAMAR LAWFUL, MUNICIPAL CLERK

