

**EAST BRUNSWICK TOWNSHIP
COUNCIL AGENDA\ACTION MEETING
July 13, 2020**

1 Jean Walling Civic Center
East Brunswick, New Jersey 08816

7:30 P.M.

**All agendas\attachments are available on the Website: www.EastBrunswick.org at section Government.*

1. Nennette Perry, Township Clerk called the meeting to order and called the roll:

Present: Councilman McEvoy, Councilman Spadafino
Councilwoman Sullivan, Councilman Wendell, Council President Stanley

Also Present: Mayor Brad Cohen, Michael Baker, Township Attorney
Joseph Criscuolo, Administrator; Nennette Perry, Township Clerk,
Carol Bellisano, Deputy Clerk

2. Statement of Notice of Publication:

The Clerk read the following statement:

Adequate notice of this meeting has been provided by specifying 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 a filing a copy in the office of the Township Clerk which will be entered in the minutes.

The Township is using the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Township's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers. The Dial In Information and Final Agenda have been posted on the Township website and are posted on EBTv for members of the public.

In order to make sure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public will be muted during the meeting. If a member of the public wishes to speak during any public comment portion, please press *9 (star nine) in order to raise your hand to speak. We will unmute members of the public individually if they have their hand raised. When it is your turn to speak, you will hear a notification that you have been unmuted. It is at that time that you should begin to ask any questions you may have. You will have three minutes to speak, at the conclusion of which you will be muted again, and the council or administration will respond as necessary. Should you have any further comments or questions, the Township Council is always available by email and phone, and you can always call the Mayor's office during normal operating hours. Each member of the public shall only have one opportunity to speak during each public portion. As the technology does not allow us to know if there are multiple callers on an individual line, we ask that if you wish to speak, that you dial in on a separate line so that we can recognize you as a separate individual.

Thank you in advance for your patience as we as we implement this new technology to continue to move the Township forward during this Health Emergency.

3. Presentations, Proclamations and Discussions:

A. Initiation Petition Certification – Nennette Perry, Township Clerk
Ordinance 20-17

Nennette Perry, Township Clerk read the following certification into the record:

**Certification, of the Municipal Clerk of the Township of East Brunswick, New Jersey.
Certifying to the Sufficiency of Petition under N.J.S.A. 50:69A-184 et seq.:**

WHEREAS, on June 3, 2020, a Committee of Petitioners (the “Committee”), comprised of Dorothy Ji, residing at 203 Wycoff Way W., Kathryn Scarbrough, residing at 59 Tall Oaks Dr., Troy Shinbrot, residing at 59 Tall Oaks Dr., Jean Mazza, residing at 23 Academic Rd., and Daniel L. Ulloa, residing at 7 Silvester Ct. submitted an Initiative Petition (the “Petition”) under N.J.S.A. 40:69A-184; and

WHEREAS, as required by N.J.S.A. 40:69A-184, in order for the Petition to be submitted to the Township Council, it was required to be signed by a number of the legal voters of the Township of East Brunswick, equal in number to at least 10% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected; and

WHEREAS, as required by N.J.S.A. 40:69A-187, the Township Clerk is required to independently review the Petition and within twenty (20) days, determine whether the Committee has complied with the requirements of the law to certify to a sufficient petition; and

WHEREAS, on June 23, 2020, the Township Clerk notified the Committee of the sufficiency of the Petition, as required by N.J.S.A. 40:69A-188, and

WHEREAS, under the applicable law, the Township Clerk is required to certify to the sufficiency or insufficiency of the Petition or Amended Petition, as the case may be, informing the Township Council of and presenting to them the Ordinance that the Petition/Amended Petition seeks the Council’s action on; and

WHEREAS, as required by N.J.S.A. 40:69A-190, upon a Certification of Sufficiency of Petition, the Township Clerk shall submit the Ordinance to the Township Council for its consideration, with that Ordinance having been deemed to have already had a first reading and required notice and shall be made to the Council for a public hearing; and

WHEREAS, as required by N.J.S.A. 40:69A-191, if within 20 days of the submission of the Certified Petition to the Township Council, the Council fails to pass the Ordinance requested by the Petition in substantially the same form requested, the Municipal Clerk shall submit the Ordinance to the voters, unless at least four-fifths (4 of 5 members) of the Committee requests the Amended Petition be withdrawn; and

I, NENNETTE PERRY, RMC, CMR, Municipal Clerk to the Township of East Brunswick **HEREBY CERTIFY THAT** the Petition submitted to my office on June 3, 2020 and reviewed by my office, has met the requirements of the applicable law; and

I HEREBY SUBMIT the Ordinance Contained in the Petition to the Township Council (annexed to this Certification as Exhibit “A”) with that Ordinance having been deemed to have already met the notice requirements of first reading and shall be made for a public hearing on August 10, 2020.

4. Agenda Session: (Discussion Only – No Vote)

None

5. Public Hearing:

The following ordinance was removed for revisions and further review. No public hearing nor vote was held.

- A. Ord. 20-16 To Amend and Supplement the East Brunswick Municipal Court Local Offense List and the Revised General Ordinances of East Brunswick Township, County of Middlesex, State of New Jersey, Amending Chapter 83, Dogs and Cats, Chapter 135, Licenses, Chapter 147, Noise, Chapter 158, Parks and Public Lands, Chapter 165, Public Property, Trespassing, Chapter 166, Property Maintenance Code and Chapter 189, Streets and Sidewalks, of the Revised General Ordinances of East Brunswick Township

6. Reports of Mayor, Administrator, Director of Law, Clerk, Council Committee/Board, Ad Hoc Committees Reports, Request Communication:

Mayor Cohen spoke about a water safety program the Recreation and Police department are putting together. He gave a COVID update. East Brunswick sold bonds and received a favorable rate.

Joseph Criscuolo, Administrator – thanked the staff for their cooperation during this difficult time.

Michael Baker, Township Attorney explained the certification on the petition and also updated everyone on the AirBnB status.

Nennette Perry, Township Clerk – no report.

Councilman Spadafino – spoke about RPAB and swim lessons for the public.

7. Public Portion:

The Township Clerk opened the meeting to the public.

Anne Maroney, 275 Hatfield Lane – Concerned about the Aggregation Ordinance. Not in favor of being mandatory. Concerned about saving money.

Brian Kulas, 130 Longfield Court – In support of the Aggregation program. The savings that could come in at 9% or 12% on electric is worthwhile.

Council President Stanley – thanked the residents who previously spoke. He asked that Mr. Baker explain the pros and cons of the ordinance.

Steve Weinberg, 2 Sycamore Street – Clean Energy Program is in favor of program. They are retired and this would save them money. He believes it would educate the community.

Troy Shinbrot, 59 Tall Oaks Drive – Supports the aggregation ordinance.

Michael Shakarjian, 19 Yarnell, Milltown – Lawrence Brook Watershed – Resolution by EB Environmental Commission. RE: Hidden Oaks Development. Concerned about the effect on the Sawmill Brook, environment in the area. Drinking water would be affected.

Mr. Baker responded to Mr. Shakarjian's comments.

Kathy Scarbrough, 59 Tall Oaks Drive - in favor of community Aggregation.

Hannah Kinkelshteyn, 32 Putman Road – in favor of community Aggregation.

Dotti Ji, 203 Wyckoff Way West – in favor of Aggregation ordinance.

Jean Mazza, 23 Academic Road – in support of community Aggregation.

Paul Merlo, 18 Sherwood – his neighbor erected an electric fence between his property. The neighbor has large plants and light bulbs highly suspended over his patio.

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Charles Kratovil, Clean Energy Canvass Director, Food and Water Watch – spoke against racism. He is in favor of community aggregation.

David Chan, 1 Jason Drive – new to the Township and wanted to say hello.

Maikk Smith, spoke about various subjects.

Michael Goldstein, 7 Leopards Court – endorses the community Aggregation program.

Council President Stanley apologized for the racist comments.

There being no further discussion, the public portion was closed.

8. Consent Agenda: (Resolutions)

The Township Clerk asked if anyone wished to have any items separated from the Consent Agenda. The Clerk read the items on the Consent Agenda.

- A. 16852 Establishing a Lien on Properties in Accordance with the Property Maintenance Code
- B. 16853 Authorizing Submittal of Grant Application Fiscal Year 2021 NJDOT Bikeways Program (*Community Arts Center Bikepath*)
- C. 16854 Authorizing Submittal of Grant Application Fiscal Year 2021 NJDOT Municipal Aid Program (*Fern Road and Whitehall Road*)
- D. 16855 Approving Services of ROK Industries, Inc. to Perform an Online Electronic Tax Certificate Sale at an Estimated Cost Less Than \$17,500
- E. 16856 Accepting the \$11,586.20 Grant Award from the Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund to Maintain the Municipal Courts Efforts to Dispose of DWI Cases in Accordance with N.J.S.A.26:2b-35(b)
- F. 16857 Authorizing Contract in Accordance with Public Contract Law N.J.S.A. 40A:11-12 Through Cooperative Purchasing of the Division of Purchase and Property in the State of New Jersey for Security Cameras Inside and Outside the South End of Municipal Building with Approved State Contract Vendor SHI International in the Amount of \$60,000
- G. Approval of Raffle License Amendment RL2468A – PTO MCVTS Arts – July 19, 2020
- H. Approval of Agenda Action Meeting Minutes – June 22, 2020
- I. Approval of Bill List (approval of bills owed by Township to various individuals, companies and accounts).

Resolution Re: Approval of Bill List

WHEREAS, the Township Council for the Township of East Brunswick has approved Ordinance 74-1-BB amending the municipal ordinances accordingly requiring the Township Council's approval before any disbursements are made. NOW, THEREFORE, BE IT RESOLVED by the Township Council for the Township of East Brunswick that the following bills have been duly audited and found correct by the Director of Finance and she is ordered to pay the amounts as hereinafter stated.

Councilwoman Sullivan moved the adoption of the Consent Agenda. Councilman Spadafino seconded the motion. There being no further discussion from Council, the Clerk called the roll:

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McEvoy - yes, Spadafino - yes, Sullivan - yes, Wendell - yes, Stanley - yes and the Consent Agenda was declared adopted.

9. Ordinance Requiring a Public Hearing Date: July 27, 2020

None

10. New Business:

The Township Clerk read the following resolution.

A. 16858 Of the Township of East Brunswick In the County of Middlesex, State of New Jersey, Directing the Township Planning Board to Prepare a Redevelopment Plan in Regard to Redevelopment Area 1 - Block 6.03 Lots 6.19, 7.01, 8.01, 9.01, 10.01 and Block 24 Lots 1.01, 2 and 3

Councilman Wendell moved the adoption of the resolution. Councilwoman Sullivan seconded the motion. There being no further discussion from Council, the Clerk called the roll:

McEvoy - no, Spadafino - yes, Sullivan - yes, Wendell - yes, Stanley - yes and the resolution was declared adopted.

11. For Good of the Cause:

None

12. Adjournment: 8:40 P.M.

Councilman Spadafino moved that the meeting be adjourned. Councilman Wendell seconded the motion. There being no discussion, the Clerk called the roll:

McEvoy - yes, Spadafino - yes, Sullivan - yes, Wendell - yes, Stanley - yes and the meeting was adjourned at 8:40 P.M.



STERLEY STANLEY, COUNCIL PRESIDENT

ATTEST:


NETTETTE PERRY, MUNICIPAL CLERK