

**EAST BRUNSWICK TOWNSHIP COUNCIL
MEETING MINUTES
August 8, 2022**

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 Wendell 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 McEvoy
Councilwoman Sullivan
Councilwoman Zimbicki
Council President Wendell

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 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 into the minutes.

APPROVAL OF MEETING MINUTES

Resolution # 17463 Resolution Adopting Meeting Minutes – July 11, 2022

Councilwoman Sullivan moved the adoption of Resolution #17435, seconded by Councilman Behal. With no recommended changes to the meeting Minutes, Council President Wendell 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			
Sullivan	X		X			
Zimbicki			X			
Wendell			X			

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

PROCLAMATIONS

There were none.

PRESENTATIONS/DISCUSSION ITEM

There were none.

AGENDA SESSION (DISCUSSION ONLY- NO VOTE)

There were none.

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

Council President Wendell read the following ordinance by title:

ORDINANCE 22-17

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE IN BLOCK 320, LOTS 5.01, 5.04, & 6 IN THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ.

Mr. Criscuolo explained the purpose of the Ordinance.

Councilman Behal 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 Zimbicki seconded the motion.

PUBLIC HEARING

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

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

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Council President Wendell requested a roll call vote on the second reading of Ordinance # 22-17:

Table with 7 columns: Council Members, Motion, Second, Yes, No, Abstain, Absent. Rows include Behal, McEvoy, Sullivan, Zimbicki, and Wendell.

By a unanimous Roll Call Vote, Ordinance # 22-17 was adopted on second reading.

REPORTS

Brad Cohen, Mayor: Mayor Cohen informed the public that a cooling station is available at the Municipal Building and encouraged the public to utilize the area.

He further acknowledged and thanked those who are required to work in extreme temperatures outside. He asked the public to be patient during traffic disruptions due to various construction projects throughout the Township.

The redevelopment of the mini-mall that once housed the Gap, the Wiz, Babies R-Us, and Weight Watchers on Route 18 is making progress. An application is expected to go before the Planning Board in September, followed by demolition.

Town Hall meetings are being held throughout all elementary schools to give the public an opportunity to make comments and to ask questions on issues related to the community.

Joseph Criscuolo, Administrator: Mr. Criscuolo reported on the mailbox issues brought to the Governing Body's attention on July 11, 2022, by Michael Moricco, a resident at 14 Bennett Court. The postmaster was contacted through Senator Menendez's Office. The Postmaster requested time to investigate the mailbox matter. However, it was confirmed that an agreement to repair or replace the mailboxes does not exist and is generally the association's responsibility.

It was reported that PSE&G has a number of gas line replacement projects taking place. Victory Place and Stratford Road can anticipate gas line replacements. These streets should be avoided due to potential road closures. In connection with the gas line replacements, Middlesex County will mill and pave Rues Lane to Summerhill Road by Route 18. Middlesex County will also repave Main Street from the Sayreville border to Old Bridge Turnpike on August 8, 2022. Fern Road is undergoing waterline replacement.

Michael Baker, Township Attorney: Mr. Baker reported that the owner of the unkempt property located on Quaker Drive had a court appearance and was fined \$2,000 for each violation (4 in total). The property owner has two (2) weeks to remediate the violations, particularly related to landscaping, or be fined \$1,000 per day for contempt of court. The property owner is further required to register the property as vacant (abandoned) and to pay an additional \$500.00. The judge requested additional photos for current and future conditions of the property. The property owner indicated that the property is under contract to be sold and will be demolished.

Mr. Criscuolo updated the Governing Body on 9 Wellington Road. The property owner agreed to sign all rights over to Chase Bank.

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

James Wendell, Council President: Council President Wendell had nothing new to report.

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

Kevin McEvoy, Councilman: Councilman McEvoy had nothing new to report.

Sharon Sullivan, Councilwoman: Councilwoman Sullivan had nothing new to report.

Dana Zimbicki, Councilwoman: Councilwoman Zimbicki had nothing new 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**. The public may use this opportunity to question any item listed on the Consent Agenda, and request that such item be removed from the Consent Agenda to be discussed and voted on separately. Only one member of the public should approach to speak to council at a time. The Council will respect the public's time by refraining from any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. 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.

If the questions require more detailed responses, the Council President or Administration may ask the member of the public to make an appointment with the appropriate township official during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting.

Council President Wendell opened the meeting to the public.

Vern Whitlock – 694 Old Bridge Turnpike

Mr. Whitlock commented on a Facebook page used as a platform for residents to voice their complaints about the various road construction projects throughout the township. He reminded the public that construction workers spend many hours in extreme heat to improve our community before going home to care for their own families. The disruption is a short-term inconvenience for a long-term improvement. The improvements will create a better ambiance for the community and remediate the pothole issues on certain streets. He further noted that many of the roadway construction projects are being done at little to no cost to residents.

Eric Johnson – 55 Merrill Avenue

Mr. Johnson voiced his concerns about vehicles speeding and driving on the opposite side of Merrill Avenue. He expressed concerns for the children as they are not able to play outside.

Mr. Criscuolo explained the efforts made to remedy the issue, including cutting down obstructive trees.

Council President Wendell requested Mr. Criscuolo to convey to the Police Chief the need of police presence within the area.

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There being no further members of the public wishing to be heard, Council President Wendell closed the public portion of the meeting.

RESOLUTION(S) [Requiring a separate vote]

There are none.

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

Resolution # 17464 through Resolution # 17478

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.

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- Resolution # 17464 Resolution Approving the Corrective Action Plan for the Annual Audit Report for the Year Ending in 2021 in Accordance with N.J.S.A. 40A:5-4 et. Seq.
 - Resolution # 17465 Resolution of the Township of East Brunswick Authorizing the East Brunswick Municipal Alliance to Accept a Grant in the Amount of \$5,000.00 from the Middlesex County Municipal Alliance, Governor’s Council on Alcoholism and Drug Abuse, for the Grant Fiscal Period of July 1, 2022, to March 14, 2023
 - Resolution # 17466 Resolution Approving and Authorizing the Execution of Assignment Agreement Between the Township of East Brunswick, Wiss & Co., LLP and PKF O’Connor Davies LLP for Township Auditor Services
 - Resolution # 17468 Resolution of the Township of East Brunswick Authorizing the Renewal of Membership in the Central Jersey Joint Insurance Fund
 - Resolution # 17469 Resolution Appointing Miley Weiner as a Student Representative to the East Brunswick Zoning Board of Adjustment

- Resolution # 17470 Resolution Appointing Paul Harth and Katie Eng to the East Brunswick Arts Coalition, Nonprofit, LLC
- Resolution # 17471 Resolution Authorizing Refunds to be Issued Related to Tax Title Lien Redemptions
- Resolution # 17472 Resolution Authorizing the Tax Collector to Refund Tax/Utility Overpayments
- Resolution # 17473 Resolution Authorizing the Transfer of Unexpended Community Development Block Grant (CDBG) Funds in the Amount of \$625.36, from Completed Projects, towards the Purchase of a Bus for the Department on Aging
- Resolution # 17474 Resolution Providing for the Insertion of Special Item of Revenue in the 2022 Budget Pursuant to N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) – Public and Private Revenues Offset by Appropriations for the Municipal Court Alcohol Education, Rehabilitation, and Enforcement 2022 Grant, in the Amount of \$9,002.14
- Resolution # 17475 Resolution Providing for the Insertion of Special Item of Revenue in the 2022 Budget Pursuant to N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) – Public and Private Revenues Offset by Appropriations for the New Jersey Department of Community Affairs Local Recreational Improvement 2021 Grant, in the Amount of \$75,000.00
- Resolution # 17476 Resolution Providing for the Insertion of Special Item of Revenue in the 2022 Budget Pursuant to N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) – Public and Private Revenues Offset by Appropriations for the State of New Jersey Clean Community 2022 Grant, in the Amount of \$100,703.84
- Resolution # 17477 Resolution Providing for the Insertion of Special Item of Revenue in the 2022 Budget Pursuant to N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) – Public and Private Revenues Offset by Appropriations for the Middlesex County Municipal Alliance, Governor’s Council on Alcoholism and Drug Abuse Grant, in the Amount of \$5,000.00
- Resolution # 17478 Resolution to Approve the Bill List

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CONSENT AGENDA VOTE

Councilwoman Sullivan moved the adoption of the resolutions listed on the Consent Agenda, Resolution # 17464 through Resolution # 17478, excluding Resolution # 17467. Councilman Behal seconded the motion.

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

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

Resolution # 17467 Resolution Appointing Crossing Guards in the Township of East Brunswick for the Period of September 1, 2022, to June 30, 2023

Councilman McEvoy requested Resolution # 17467 be removed from the Consent Agenda to acknowledge and congratulate the appointed crossing guards for the period of September 1, 2022, to June 30, 2023. During a period where it is a challenge to find workers, he feels fortunate to have as many dedicated crossing guards in place to ensure the protection of residents' children.

*****ORDINANCE(S) FOR INTRODUCTION***
SCHEDULED PUBLIC HEARING DATE: SEPTEMBER 12, 2022**

Council President Wendell read the following ordinance by title:

ORDINANCE # 22-18

AN ORDINANCE OF THE TOWNSHIP AMENDING THE FLOODPLAIN MANAGEMENT REGULATIONS FOR THE TOWNSHIP OF EAST BRUNSWICK BY REPEALING AND REPLACING CHAPTER 288, SECTIONS 230-234, FLOOD DAMAGE PREVENTION ORDINANCE STATUTORY AUTHORIZATION, FINDINGS OF FACT PURPOSE AND OBJECTIVES; AND TO FURTHER ADOPT FLOOD HAZARD MAPS, AND DESIGNATE A FLOODPLAIN ADMINISTRATOR

Michael Baker explained the purpose of the ordinance.

Councilman McEvoy 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 September 12, 2022, 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 Wendell requested a roll call vote on the introduction of the ordinance:

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

By a unanimous Roll Call Vote, Ordinance # 22-18 was approved on first reading.

Council President Wendell read the following ordinance by title:

ORDINANCE # 22-19

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EAST BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$104, 000.00

Mr. Criscuolo explained the purpose of the ordinance.

Councilwoman Sullivan 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 September 12, 2022, 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 Wendell requested a roll call vote on the introduction of the ordinance:

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

By a unanimous Roll Call Vote, Ordinance # 22-19 was approved on first reading.

Council President Wendell read the following ordinance by title:

ORDINANCE # 22-20

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 209, SECTION 209-52, SCHEDULE XIII: STOP INTERSECTIONS TO ADD A STOP INTERSECTION ON ARBIT ROAD AT THE INTERSECTION OF WHITEHALL ROAD

Mr. Criscuolo explained the purpose of the ordinance.

Councilwoman Sullivan 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 September 12, 2022, at the Municipal Building/Court Room, located at 1 Jean Walling Civic Center Drive, in the Township of East Brunswick. Councilman McEvoy seconded the motion.

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

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

By a unanimous Roll Call Vote, Ordinance # 22-20 was approved on first reading.

ADD-ON RESOLUTION

There were none.

UNFINISHED BUSINESS/NEW BUSINESS

There were none.

FOR THE GOOD OF THE CAUSE

Dana Zimbicki, Councilwoman – Councilwoman Zimbicki thanked, congratulated, and welcomed Paul Harth and Katie Eng to the East Brunswick Arts Coalition. She looks forward to working together.

Sharon Sullivan, Councilwoman – Councilwoman Sullivan sent her condolences to the family of former Mayor Neary, whose mother-in-law passed away.

The public were informed of a fund-raising event. The cost is \$25.00 per person (waffle ball game). The proceeds will go towards a scholarship fund for students.

James Wendell, Council President – Council President Wendell acknowledged the 84th year of the Middlesex County Fair and thanked the Middlesex County Association for another successful fair in the community.

CLOSED SESSION

There were none.

ADJOURNMENT

Having no other business to conduct, Councilwoman Sullivan moved to adjourn the meeting. Councilwoman Zimbicki seconded the motion. All were in favor. The meeting was adjourned at 8:09 p.m.



JAMES WENDELL, COUNCIL PRESIDENT

ATTEST:



TAMAR LAWFUL, MUNICIPAL CLERK