

**EAST BRUNSWICK TOWNSHIP COUNCIL  
MEETING MINUTES  
September 12, 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.

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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  
Loren Morace, Deputy 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 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 # 17479 Resolution Adopting Meeting Minutes – August 8, 2022

Councilwoman Sullivan moved the adoption of Resolution #17479, 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.

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

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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

Mr. Baker 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 Behal 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.

###

Council President Wendell requested a roll call vote on the second reading of Ordinance # 22-18:

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

By a unanimous Roll Call Vote, Ordinance # 22-18 was adopted on second 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 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. Councilwoman Sullivan 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.

###

Council President Wendell requested a roll call vote on the second reading of Ordinance # 22-19:

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

By a unanimous Roll Call Vote, Ordinance # 22-19 was adopted on second 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

The purpose of the Ordinance was explained.

Councilman McEvoy 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 Sullivan 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.

###

Council President Wendell requested a roll call vote on the second reading of Ordinance # 22-20:

| 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 adopted on second reading.

REPORTS

**Brad Cohen, Mayor:** Mayor Cohen thanked everyone for supporting the 9/11 Memorial event. He reported on the new Tammany Park, which is now open for the public's enjoyment. There are still ongoing road improvement projects throughout the town. The Fern Road Improvement Project has been completed. The redevelopment project at the mini-shopping complex [Previously Loehmann's Plaza], which once housed the Gap and the Weis Markets on Route 18 South, will go before the Planning Board on Wednesday, September 14, 2022. With votes in the affirmative, the project will proceed with demolition, followed by construction by year's end.

**Joseph Criscuolo, Administrator:** Mr. Criscuolo reported that the Township is the recipient of a grant in the amount of \$1,600,091.00 for the Dunhams Corner Road Improvement Project.

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

**Tamar Lawful, Township Clerk:** Ms. Lawful reported on two liquor license transfers and requested the Council to consider their approval.

**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 reported on the Mayor Cohen's Charity Gala to be held on Wednesday, November 9, 2022. The Gala will honor Adam Neary, Margaret Pemberton, East Brunswick VFW Post, and EB Chinese.

**Dana Zimbicki, Councilwoman:** Councilwoman Zimbicki reported on the first meeting as Council Representative for the Recreation and Parks Advisory Board (also known as RPAB) to discuss projects and many ways to further build and improve the community. A dock and gangway system for the Dallenbach Lake Community Park will be secured once Resolution # 17486 is approved. The goal is to utilize the park to allow the public to rent kayaks in the future.

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 the 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 the 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.

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Council President Wendell opened the meeting to the public.

**Vern Whitlock – 694 Old Bridge Turnpike**

Mr. Whitlock spoke about property taxes.

**Drew Wingarth – 2705 Commons Drive**

Mr. Wingarth spoke about his concerns about fireworks and questioned if the township’s ordinance requires an amendment.

Mr. Baker spoke of the firework demonstration previously held at the Community Arts Center. The demonstration tested different sound decibel ranges for alternative fireworks that provide a lower sound effect. Starfire has agreed to secure fireworks that have a more tolerable noise level.

**Elizabeth Jackson- 6 Candle Lane**

Ms. Jackson spoke about the organic recycling program and encouraged its implementation in the Township.

**Antoinette Evola – 45 Merrill Avenue**

Ms. Evola expressed concerns about speeding vehicles on Merrill Avenue and inquired with the Governing Body about how to remediate the issue.

**Tom Rosetti – 58 Deerfield Road**

Mr. Rosetti advocated for garbage collection twice per week.

**Arun Ayyagari - 20 Brookhill Road**

Mr. Ayyagari expressed safety concerns at the intersection of Rath Lane and Hilltop Blvd.

**Neal Shah - 1 Jennifer Court**

Mr. Shah voiced his desire to see the township’s website updated.

RESOLUTION(S) [Requiring a separate vote]

There are none.

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

Resolution # 17480 through Resolution # 17498

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 # 17480 Resolution Authorizing the Tax Collector to Refund Tax/Utility Overpayments

Resolution # 17481 Resolution Authorizing Refunds to be Issued Related to Tax Title Lien Redemptions

Resolution # 17482 Resolution Authorizing the Middlesex County 4-H Association to Hold Several Haunted House/Hayride Events in October 2022 at the Middlesex County Fairgrounds

Resolution # 17486 Resolution Authorizing the Award of Contract to EZ Docks Unlimited, LLC for the Purchase of a Dock and Gangway System with Handrails Under the Sourcewell National Cooperative Pricing System, Under Contract # 010521-LTS-2, for the Dallenbach Lake Community Park in the Amount of \$22,035.95

Resolution # 17488 Resolution Authorizing the Award of Contract to PlayPower LT Farmington, Inc. for the Purchase and Installation of Playground Equipment and Surfacing at the Sadowski Park Playground Through the Sourcewell

National Cooperative Pricing System, Under Contract # 010521-LTS-04, in the Amount of \$159,719.71

- Resolution # 17489 Resolution Authorizing Slovak Heritage Festival, Inc., to hold a Slovak Heritage Festival at the Middlesex County Fairgrounds on September 25, 2022
- Resolution # 17490 Resolution Endorsing the Library Concert Series Project
- Resolution # 17492 Resolution Authorizing the Award of a Fair and Open Contract to Stavola Construction Materials, Trap Rock Industries and Lucas Brothers, Inc. for the Furnishing and Delivery of Road Materials
- Resolution # 17493 Resolution Authorizing the Release of Performance Guarantee and Cash Escrow for the Completion of Subdivision, Entitled, Vintage Park, Which Consist of Brower Court and Cairnes Lane (Application # Z15-28)
- Resolution # 17494 Resolution Authorizing a Change Order [Number Two] for Contract # 2020-12 with H & S Construction & Mechanical, Inc. from \$1,333,524.14 to \$1,343,287.92 for Additions and Renovations to the Department of Public Works Building
- Resolution # 17495 Resolution Authorizing the Cancellation of Various Bonds and Notes Authorized but not Issued in the Amount of \$15,100,500.00 and its Estimated Proceeds to be Transferred into the General Capital Fund
- Resolution # 17496 Resolution Providing for the Insertion of a Special Item of Revenue in the 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's Enhancement Grant for Reusable Shopping Bags 2022 Grant in the Amount of \$5,000.00
- Resolution # 17497 Resolution Authorizing the Approval of a Person-to-Person Liquor License Transfer for Dynamic Food Group Inc. dba Gusto Grill to Superior Gusto, LLC
- Resolution # 17498 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 # 17480 through Resolution # 17498, excluding Resolution # 17483, 17484, 17485, 17487 and 17491. 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.

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

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**Resolution # 17483** Resolution Authorizing an Emergency Contract with Black Rock Enterprises, LLC as per N.J.S.A. 40:11-6 to Repair a Water Main Break at 202 Route 18

Councilwoman Zimbicki moved the adoption of Resolution #17483, seconded by Councilman Behal. With no recommended changes to the meeting Minutes, Council President Wendell requested a roll call vote:

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   |    |         |        |
| Zimbicki                                   | X      |        | X   |    |         |        |
| Wendell                                    |        |        | X   |    |         |        |

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

**Resolution # 17484** Resolution Authorizing the Approval of a Person-to-Person Liquor License Transfer from Goku Hot Pot & BBQ to KPOT Hot Pot & BBQ LLC

Councilwoman Sullivan moved the adoption of Resolution #17484, seconded by Councilwoman Zimbicki.

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   |    |         |        |
| McEvoy                                     |        |        | X   |    |         |        |
| Sullivan                                   | X      |        | X   |    |         |        |
| Zimbicki                                   |        | X      | X   |    |         |        |
| Wendell                                    |        |        | X   |    |         |        |

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

**Resolution # 17485** Resolution Establishing the Real Property Tax Payments to the East Brunswick Board of Education for the Period of July 1, 2022, to June 3, 2023

Councilman Behal moved the adoption of Resolution #17485, seconded by Councilwoman Zimbicki. With no recommended changes to the meeting Minutes, Council President Wendell requested a roll call vote:

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   |    |         |        |
| Zimbicki                                   |        | X      | X   |    |         |        |
| Wendell                                    |        |        | X   |    |         |        |

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

**Resolution # 17487** Resolution Authorizing Starfire Corporation to Hold Fireworks Display for a Private Event at the Middlesex County Fairgrounds on September 16, 2022

Councilman Behal moved the adoption of Resolution #17487, seconded by Councilwoman Zimbicki.

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   |    |         |        |
| Zimbicki                                   |        | X      | X   |    |         |        |
| Wendell                                    |        |        | X   |    |         |        |

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

**Resolution # 17491** Resolution Authorizing the Award of a Fair and Open Contract to Raritan Group, Inc., Troup Environmental Alternative LLC, and Tristate Environmental Services, LLC for the Furnishing and Delivery of Water and Wastewater Materials (2022)

Councilman Behal moved the adoption of Resolution #17491, seconded by Councilwoman Sullivan.

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 resolution was approved.

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**\*\*\*ORDINANCE(S) FOR INTRODUCTION\*\*\***

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There were none.

ADD-ON RESOLUTION

There were none.

UNFINISHED BUSINESS/NEW BUSINESS

There were none.

FOR THE GOOD OF THE CAUSE

**Dana Zimbicki, Councilwoman:** Councilwoman Zimbicki acknowledged John Roche and his staff at Crystal Springs for doing a great job.

**Joseph Criscuolo, Business Administrator:** Mr. Criscuolo also acknowledged John Roche and staff.

CLOSED SESSION

There were none.

ADJOURNMENT

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

  
\_\_\_\_\_  
JAMES WENDELL, COUNCIL PRESIDENT

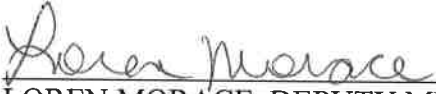


ATTEST:



A handwritten signature in cursive script, appearing to read 'Tamar', written over a horizontal line.

TAMAR LAWFUL, MUNICIPAL CLERK



A handwritten signature in cursive script, appearing to read 'Loren Morace', written over a horizontal line.

LOREN MORACE, DEPUTY MUNICIPAL CLERK

