

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

August 22, 2018

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, August 22, 2018. The meeting was called to order a 7:11 p.m. by Council President Patil followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Joshi, Lombardi, Patil, and Sendelsky.

Councilmember Gomez was absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney London, Business Administrator Ruane, Township Engineer O'Brien, Health Director Elliott, Public Works Director Russomanno, Police Chief Bryan, Fire Captain Toth and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Sendelsky seconded by Councilmember Lombardi, and duly carried, the Minutes of the Regular Meeting of July 25, 2018 and Worksession Meeting of April 23, 2018 and May 21, 2018 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Patil, thanked our Police, Department of Public Works and Recreation for all their work on August 7, 2018 National Night Out. The Indian and Pakistan Parades were well attended. Please support the Farmers Market to help keep it alive, August 26th is Healthy Day for Kids. On Monday, September 3, 2018 township offices will be closed for observance of Labor Day.

Councilmember Coyle, thanked Administration, Health, Recreation and Department of Public Works for all their assistance last Saturday for the Beer, Food & Wine Festival , Edison Chamber of Commerce event.

Council President Patil commended Councilmember Joshi for all his hard work on the Food Allergy Ordinance we all want to be safe. I am not against it, just the way it is written I would like to see a committee formed. He will be making a motion to table this ordinance and would hope his fellow councilmember will support this motion.

APPROVAL OF VOLUNTEER FIREFIGHTER

Applications for membership were received by:

Oak Tree Volunteer Fire Company
Subanie P.Jaikaran

A motion was made by Councilmember Diehl seconded by Councilmember Sendelsky, and duly carried, the above applications were approved.

RESOLUTION OF RECOGNITION:

The following Resolution of Recognition was read in its entirety:

RESOLUTION R.411-082018

WHEREAS, William Enoch, born in 1920, answered the call for military duty when he entered the US Army in 1940. He was assigned to the 23rd HQ Special Troops.

WHEREAS, during his time in the Army he served with the 603 Camouflage Battalion, the famed "Ghost Soldiers", whose mission was to create dummy military vehicles, weapons and aircraft. He also attained the rank of Sergeant in the Battalion Camouflage Engineers Motor Pool. Mr. Enoch landed in France shortly after D Day and engaged enemy forces in a series of battles from Normandy, Northern France, the Ardennes, Rhineland and into Central Europe. In recognition of his service in action, Mr. Enoch earned the Purple Heart, the Bronze Star and numerous campaign medals.

WHEREAS, Mr. Enoch is currently an Edison resident, living in the home in which he built for his wife, Dorothy, who passed in 1989. Bill Enoch Jr. continued his father's military legacy by serving in the Armed Forces.

WHEREAS, Mr. Enoch who is currently 98 years of age never misses the VFW Post's monthly meeting. He enjoys sharing his fascinating stories of his combat engagements, across war-torn Europe and always leaves his audience spellbound.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS: The Municipal Council hereby recognizes Bill Enoch for his service to our country, commitment, and dedication to all our Veterans.

Irene Wall, 205 Fleet Avenue, thank you for your wonderful service. We wouldn't have the opportunities and freedom today with our veterans.

Ken Durkin, VFW Commander, thanked Bill for all his fantastic stories and never missing a meeting. God Bless.

Bill Enoch, thanked the Council for the opportunity to be here.

Hearing no further comments, on a motion made by Councilmember Sendelsky seconded by Councilmember Diehl and duly carried, this Public Hearing was closed.

Council Vice President Sendelsky, we can't thank you enough the sacrifice you made for our freedom today. God Bless and have many more years.

Councilmember Lombardi, Mr. Enoch it's an honor and privilege. Thank you for your service and would like to hear some of your stories.

Councilmember Diehl, Mr. Enoch Congratulations, it's an honor and privilege cannot thank you enough. I wish you all the best for many more years to come.

Councilmember Joshi, he echoed the sentiments of his fellow councilmembers. It is such an honor to hear about all your time serving our country. You have a wonderful family, thank you.

Councilmember Coyle, Mr. Enoch we all thank you for the sacrifice you made for us to have the beautiful freedom today. I would like to hear your stories someday.

Council President Patil presented the Resolution of Recognition to Mr. Enoch. Good Evening everyone and thank you for joining me this evening as we recognize veteran William "Bill" Enoch for his service during World War II. On behalf of Edison Councilmembers, we all congratulate you for this recognition. I personally applaud your services to the nation and your continuing commitment to serve the community. Sir, you are a true role model for the younger generation and keep up our great work at VFW Post 3117. Everyone, if you see or meet a Veteran, please spare few minutes to appreciate and respect their service to the nation. God Bless you, God Bless America.

On a motion made by Councilmember Sendelsky seconded by Councilmember Diehl, this Resolution was adopted.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil.

ABSENT: Councilmember Gomez

NAYS - None

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on July 25, 2018 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.2015-2018

AN ORDINANCE REQUIRING LOCAL RESTAURANTS TO IDENTIFY ON THEIR MENU FOODS THAT CONTAIN OR ARE PREPARED WITH COMMON INGREDIENTS THAT TRIGGER FOOD ALLERGIES.

(The above Ordinance O.2015-2018 can be found in its entirety in Ordinance Book #27.)

On a motion was made by Councilmember Joshi to amend this Ordinance effective date change to April 1, 2018 and seconded by Councilmember Diehl.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

Council President Patil declared the Public Hearing opened for O.2015-2018

Marilou Halvosen, President of NJ Restaurant & Hospitality Association, we support food allergens training. She had a discussion with Councilmember Joshi asking him to table this ordinance temporary so that the association could provide feedback to make this mandate safer. I committed to having it done in early fall. This is not just for restaurants with all due respect this ordinance is confusing. We want this to be a good policy. I ask that the Council hold this ordinance until we can work on a realistic and safe ordinance that enhances food safety, instead of restricting it. Thank you for your time and consideration.

Councilmember Joshi, explained you only have to list the ten ingredients, only have one menu available.

Mr. Rath, 29 Jersey Avenue, it is the person responsibility to tell and ask about they know what they are allergic to. Why are we putting enforcement when things are made to order.

Shawn Mehtani, Mehtani Restaurant Group, he understands Food Safety, his family has several business restaurant and adult day cares. If the supplier doesn't list all the ingredients we will have to switch suppliers and that could hurt the small businesses. He suggested we work with the state for all food establishments, by singly out Edison would only hurt us. Please table this Ordinance.

Resident, 33 Overlook Avenue, she understands in other countries they have symbols for identification of allergens. Why not start here we have such a rich diversity.

Mr. Mehtani, Mehtani Edison Restaurants, in 2013 we got the Restaurant of the Year. He is shocked we have to label ingredients. If this is only Edison he feel its discrimination, it will hurt his business.

Karen Ryan, Basking Ridge, There are about 15 million people have allergies. This is about human life not a menu cost of business. This is key to prevention, awareness and education. Please go forward to educate the industry. We need to consider human life, move forward.

Elizabeth Conway, 20 Netherwood Circle, she applaud you and urge you to process its good for our community.

Resident, her daughter died at 29 years old, she ate a small egg roll. He has been working on this to create a foundation to make people be aware. It's extremely important the need to be done, as it should be done across the state.

Resident of 249 Windmore Court, Bridgewater she comes to Edison to eat. Her daughter has allergies and she can only go to large chains because they have allergy menus. If you have communicate with the Chef and staff to understand what your family need that can increase your business. All you need is One Menu.

Joe Moreley, North Brunswick, he runs the Pines Manor. Let's do it right. He asked it be put off for about a month, so we have time to set up a system, get everyone trained. He just found out on Monday and would like to be a part of getting it right. Let's set up a meeting to make everyone aware.

President of Indian Business Association, asked why business community wasn't a part of or input to this Ordinance.

Wayne Mascola, 16 Gates Place, nobody is against this ordinance, it sounds like they feel it's not written correctly. He suggested to table for a month, gather input get it correct.

There were several owners of restaurants in Edison expressing their concerns as to why they do not want this Ordinance passed tonight as written. They would like to meet to have some discussions, suggestions together with the council.

Satish Pundi, this was very short notice. He asked if there has been research as to the Township if they have jurisdiction.

Esther Nemitz, 162B Fay Street, there has been enough input to table this to do more study. This is great that Municipal government can have these conversations, let's take the time to do the right thing.

Hearing no further comments, on a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

Council President Patil reiterated he would like to form a committee to discuss further. He would like to motion to table.

Councilmember Coyle, Sam you did an unbelievable job and I appreciate all you have done. I feel we need to speak to specialist all together. Let's table this for 30 days get together and do it right this is a serious matter.

Councilmember Joshi, he explained his research. He understands that you were not a part of the process. It has been a European law since 2014. There has been a lot of miscommunication but at the end of the day every business owner only has to have one additional menu. He provided some samples menus.

Council President Patil, applauded Sam for his work. He has concerns such as disclaimer, protection from liability and is it valid.

Leslie London, Township Attorney, disclaimer cannot be a part of this Ordinance. Just given as an example, you should discuss with their own attorney and or insurance company.

Councilmember Joshi, any package item they have a disclaimer. You have the ability to write a disclaimer. He gave three examples. We are not here to give legal advice.

Councilmember Sendelsky added we cannot give any legal advice or type of disclaimer to use.

Councilmember Lombardi, examples purpose only.

Councilmember Sendelsky, we are increasing awareness to protect public safety. The more information we have can save a life and is all in the best interest for the residents of Edison.

Councilmember Diehl, thanked everyone that spoke out tonight. We all agree that allergies are a serious issue, all said same things. Where we differ is how do we get there. He applauded Councilmember Joshi for his research has increased awareness. We are going to work with the business community, we have eight months to work and form a committee. We all agree the need just how to get there. He is very confident, he will be supporting tonight.

Councilmember Lombardi, thanked everyone for coming out we have eight months to form that committee. I listened to Tara, 26 years old who just came back from Europe she said she felt safer there. Hope restaurant community will serve on committee to come up with a common sense amendment, he will be supporting this ordinance.

Council President Patil added he is not against this ordinance he just feels we should form a committee with a deadline of one month. If we pass tonight then form the committee they will have eight months to drag out.

Councilmember Diehl, tabling this goes to nowhere land. We have eight months this is the first step knowing full well to committee to make modifications.

Councilmember Coyle, is going to abstain , he believe we can do more.

On a Motion made by Council President Patil, seconded by Councilmember Coyle to Table this Ordinance O.2015-2018.

AYES - Councilmembers Coyle and Council President Patil

ABSENT: Councilmember Gomez

NAYS - Councilmembers Diehl, Joshi, Lombardi and Sendelsky

Motion to table failed.

On a motion made by Councilmember Joshi , seconded by Councilmember Sendelsky, this Ordinance was adopted.

AYES - Councilmembers Diehl, Joshi, Lombardi, and Sendelsky

ABSENT: Councilmember Gomez

ABSTAIN: Councilmember Coyle and Council President Patil

NAYS - None

The following Ordinance, which was introduced by Title on July 25, 2018, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.2016-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 16-3, "SMOKE DETECTORS," SECTION 16-3.4, ENTITLED "RESPONSIBILITY FOR INSTALLATION AND MAINTENANCE," TO ENSURE COMPLIANCE WITH APPLICABLE STATE REGULATIONS.

(The above Ordinance O.2016-2018 can be found in its entirety in Ordinance Book #27.)

Council President Patil declared the Public Hearing opened for O.2016-2018

None

Hearing no further comments, on a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

O.2019-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 16-1, "UNIFORM FIRE SAFETY ACT LOCAL ENFORCING AGENCY," REVISING SECTIONS 16-1.3, "INSPECTION OF LIFE HAZARD USES," 16-1.4 "INSPECTION OF NON-LIFE HAZARD USES," AND 16-1.5, "PERMIT FEES;

(The above Ordinance O.2019-2018 can be found in its entirety in Ordinance Book #27.)

Council President Patil declared the Public Hearing opened for O.2019-2018

None

Hearing no further comments, on a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Diehl, the Ordinance was adopted.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

Council President said we will be adding a Resolution R.459-082018 to the Consent Agenda.

On a Motion made by Councilmember Diehl, seconded by Councilmember Coyle to add Resolution R.459-082018 to the Consent Agenda.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

**NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, WEDNESDAY, SEPTEMBER 12, 2018.**

On a Motion made by Councilmember Lombardi, seconded by Councilmember Diehl to Table this Ordinance O.2020-2018.

O.2020-2018 AN ORDINANCE AMENDING TOWNSHIP CODE CHAPTER 4-8 AND CHAPTER 4-11 WITH RESPECT TO THE AWARD OF PUBLIC CONTRACTS TO POLITICAL CONTRIBUTORS.

AYES - Councilmembers Diehl, Joshi, Lombardi, and Sendelsky

ABSENT: Councilmember Gomez

NAYS – Councilmember Coyle and Council President Patil

This Ordinance O.2020-2018 was tabled. NOT INTRODUCED.

This Ordinance was introduced by title:

O.2021-2018 AN ORDINANCE AMENDING CHAPTER XI, “GENERAL LICENSING AND BUSINESS REGULATIONS,” SECTION 28 (“TOWING REGULATIONS”) OF THE TOWNSHIP CODE OF GENERAL ORDINANCES.

On a motion made by Councilmember Diehl seconded by Councilmember Sendelsky, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on September 12, 2018.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.412-082018 through R.459-082018.

None

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Coyle seconded by Councilmember Diehl and duly carried, the public hearing was closed.

The following Resolutions R.412-082018 through R.459-082018, were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Sendelsky, and Council President Patil

ABSENT: Councilmember Gomez

NAYS - None

COMMUNICATIONS

- a. Letter received from Irene Wall regarding restricted parking signs.
- b. Email received from Glutamate Association regarding O.2015-2018.
- c. Email received from Food Allergy Research & Resource Program regarding O.2015-2018.

On a motion made by Councilmember Sendelsky, seconded by Councilmember Lombardi and duly carried, the above Communications were received.

ORAL PETITIONS AND REMARKS

Council President Patil opened the meeting for public comment.

Keith Hahn, Fairview Ave. is here to address the racial flyer. According to NJ.com article they have identified a person whom purchased the stamps. It has been nine months, he is asking this council to pass a resolution asking the Attorney General Office to issue a report to us. We cannot allow this to happen in our elections.

Anthony DeAmorin, 15 Rodak Circle he is a Republican Committeeman, his neighbors keep asking about this flyer.

Gloria Ditman, Midland Road, complimented Council President Patil on his zombie ordinance he is working on. She asked for an update on our Deer problem. Edison Art society on September 12th at 6:30pm there will be Art Show Opening.

Councilmember Diehl, asked Mr. Elliot for an update on Deer problem. It was a campaign flyer that embarrassed our town. I agree it is frustrating we are very interested in getting to the bottom of this.

Mr. Elliot they have selected a vendor it will be on next meeting.

Councilmember Joshi agrees with Councilmember Diehl. Edison is a diverse community, he was born and raised in Edison it reflects the great America. We need to pass a resolution as a council to hold them accountable.

Council President Patil agrees this flyer was a slap in the face cannot be accepted he will support the resolution.

Elizabeth Conway, 20 Netherwood Circle, she is retired teacher she taught her children diversity. She was a candidate for the Board of Education and reached out to many people where she learned about many cultures. We need diversity in this town something needs to be done.

Joe Romano, Avenue C, asked Chief Bryan what can be done if the person or persons found to be responsible for this.

Chief Bryan, the Attorney General Office has it, he cannot speak about it.

Ms London, Township Attorney, she is not sure where it is in the investigation. We cannot pass a resolution tonight. We need to properly draft a resolution to the Attorney General to move forward and supporting the investigation.

Councilmember Diehl, we need to make a stand this should never happen again.

Rev. Ken Macan, 45 Stony Road, Attorney General should continue their good work. Edison is not a place for hate crimes.

Elaine Kaufman, The National Council of Jewish Women, Metro Jersey Section, is a grassroots organization of volunteers and advocates. Inspired by Jewish values, NCJW strives for social justice by improving the quality of life for woman, children, and families by safeguarding individual rights and freedoms.

Beth Maroney, Vice President of Edison School Board, we are working hard on a program for the schools called the "wing man" program for the eight Elementary Schools. The program will be taught by retired teachers to teach children empathy, respect and good deeds. John Marshall will be the first school. It's more than just putting police in the schools.

Bishop Brown, as someone of mixed race growing up here, we should stand up, unite and march. Hate is taught, they need to learn respect.

Sylvia Engel, 82 Winthrop Road, Chairman of Edison Republican Party our party was blamed for that flyer. She said there is not racist in our party we were the first party to run an Indian for council. The Attorney General is a victim of bias himself. Hope you follow through on this resolution.

Steve Nagel, I consider who you are not what you are I stand here I ran for office and someone put a swa sticker on his sign. This community is based on diversity. I ask you do your due diligence that something like this never happens again.

Maria Orchid, 83 Jefferson Avenue, asked why the speed trailer removed from Amboy Avenue. Reminder to everyone the Farmers Market is open form 8:00am till 2:00pm and drive careful school will be starting September 4th.

Councilmember Coyle asked for it to be moved to Old Post Road.

Charles, editor of New Brunswick Today asked how much jaffe communications – jaffe and skyways - professional no campaign finance law access - didn't make a lot of sense. - people for progress – 7200 to people energieing from bernardville nJ - 10,000 on eve of eletion just days before the election based on records of ELEC. – what is the relationship between jaffe & sky - honest mistake or cover up who are the people for progress - create a committee of the whole -

MR – she believes 43,000?

Keith Hahn, played a tape –

Mr. Rath – 29 Jersey st- about the BA since last Monday - legal person in a legal town.

AP - we added the resolution

Wayne Mascola - resolution by next council meeting . reporter he has been working on a couple of months 10 months ago – is this resolution a feel good . what are you going to do as a governing body to keep pushing. Can we force to FBI

LL – we have to look at that we just cannot stop a investigation. She doesn't know if we can force to FBI.

RD – we are not letting it die. We will do something else.

Hearing no further comments from the public Councilmember Coyle made a motion to close the public hearing, which was seconded by Councilmember Lombardi and duly carried.

Having no further business to discuss, on a motion made by Councilmember Sendelsky seconded by Councilmember Diehl , the meeting was adjourned at 11:35 p.m.

Ajay Patil
Council President

Cheryl Russomanno, RMC
Municipal Clerk