

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION MEETING
JANUARY 9, 2012**

The Worksession Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:03 p.m. by Council President Karabinchak, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey, Lombardi and Mascola. Councilmember Dr. Prasad entered at 7:13 p.m.

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Recreation Director Halliwell, Public Works Director Roderman, Health Director Elliott, Township Engineer Medina, Police Chief Bryan and Cameraman Cologna.

The 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 and Tribune, The Star Ledger and the Sentinel on January 3, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

Council President Karabinchak opened the meeting for comments from the public.

Jane Tousman, 14 Butler Road, said her comments are about the appointments to the Planning Board. She has a problem with Mr. Toth due to his residency being in question. She has heard he receives his homestead rebate in another municipality. She felt the Planning Board is an Edison matter and she read the New Jersey statute about the Planning Board and urged the Council to hold and check on this carefully. She also discussed legal fees and said she requested a list of 2010 and 2011 legal bills and cannot obtain a copy of this. She showed a copy of a legal notice on expenses for legal fees for Bridgeton, NJ.

Councilmember Gomez said he put two requests in, one was for a breakdown of the last legal bill and a 2010 breakdown by case.

Mr. Kemm said he is working on this.

Councilmember Diehl asked when Councilmember Gomez and Ms. Tousman can anticipate seeing this information.

Mr. Kemm said he did not know what Ms. Tousman submitted. He said the bills are public records and the citizens are entitled to look at the bills.

Walt Boychick, 199 Monroe Avenue, Volunteer Deputy Fire Chief, felt it was paramount that the temporary budget be adopted this week as he has fifteen new recruits waiting to be processed. He said they need a medical exam and to be sent to the County fire school. He said we need to keep processing new volunteers on the department and we will not see these recruits until May or June because of the schooling.

Council President Karabinchak said one of the items is a temporary budget. The Administration provided a 26.25% budget. He is not sure if the Council will approve this, but there will be something voted on by the 11th.

Councilmember Mascola asked if this will be taken care of even if the 26.25% does not go through.

Ms. Ruane said "yes".

Esther Nemitz, 162B Fay Street, read in the paper about the telecom bill and said she is concerned with telephone lines not being operable. She felt it is important to support this Bill and keep the land lines operable. She asked if we are going to have a Cable Committee. She also read an article in the newspaper regarding getting rid of legal ads and she does not support this. She asked that the Council support the editorials to keep the legal ads.

Burton Gimelstob, 6 Churchill Road, said when he asked to see Mr. Lehrer's bills, within four days he received all the bills.

Mr. Kemm said this is the first he has heard about the request.

Mr. Gimelstob said he has a problem with Mr. Toth as an alternate member of the Planning Board. He said the qualifications are strictly residency and Mr. Toth signed a document that his primary residence is in Toms River. He said Mr. Toth votes in Edison and he asked the definition of principle residence.

Mr. Kemm said this is different for tax purposes and other purposes. Municipal land use law is not a tax issue.

Mr. Gimelstob asked the Council to ask for this in writing. He felt this is contradictory because you cannot have two principle residences.

Mr. Kemm said this is for voting rights.

Hearing no further comments, this public hearing was closed, on a motion made by Councilmember Diehl, seconded by Councilmember Lankey, with all in favor.

Mr. Kemm said the tax code gives a specific definition for residence. Other residence is more of a legal standing as it looks at facts surrounding the issue. Mr. Toth is a resident of Edison for non tax purposes. He pension checks get sent to Edison and his driver's license says Edison.

5. APPROVAL OF MINUTES

a. and b. No comments.

**6. ADMINISTRATIVE AGENDA:
FROM MAYOR ANTONIA RICIGLIANO:**

a. through d. No comments were made.

7. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Mascola said he hoped to attend the Library Board meeting on Wednesday.

8. POINTS OF LIGHT

None

9. FROM THE BUSINESS ADMINISTRATOR:

a. through c. No comments were made.

10. FROM THE DEPARTMENT OF FINANCE:

a. through f. No comments were made.

11. FROM THE DEPARTMENT OF HEALTH:

a. No comment was made.

12. FROM THE DEPARTMENT OF LAW:

a. Council President Karabinchak said these are fees encumbered in 2011.

13. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through e. No comments were made.

14. FROM THE DEPARTMENT OF PUBLIC WORKS:

a. Councilmember Mascola asked why this is in capital expense.

Mr. Roderman said there is a portion of the sanitation budget that is capital outlay and every year we purchase replacement equipment.

b. No comment was made.

15. FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:

Council President Karabinchak hoped he will have information on Wednesday.

16. COMMUNICATIONS:

a. No comments.

17. DISCUSSION ITEMS:

Council President Karabinchak:

a. Council President Karabinchak said we are looking at an unprecedented amount of tax appeals. For every tax appeal settlement the financial burden shifts to the homeowners. We need help from our legislators to change this. Senator Buono introduced one bill that would allow the Township to pay this off in five years but it only passed the senate. He needs the public's help. We are looking at \$15 million in tax appeals. Another example is the Library losing State aid. This also adversely affects the Board of Education. He asked the public to send an email or call as the law has to change regarding tax appeals.

b.and c. No comments were made.

d. Council President Karabinchak said this is former Councilmember Massaro's Resolution regarding voluntary residential housing. The Council will not advance or adopt any rezoning ordinance that rezones for residential purposes.

e. Council President Karabinchak discussed digital ticketing which he felt is an item that would be a big plus for Officers on the streets and wouldn't cost anything.

Ms. Ruane said the Purchasing Agent is looking into going out to bid on this.

f. Council President Karabinchak spoke about entry level criteria for Police. He said currently it is 60 college credits and active military service or honorable discharge. He would like to see this modified to allow auxiliary Police to have the opportunity to take the test and also anyone who has been an Officer in another municipality can be hired directly.

Chief Bryan said right now the Ordinance provides for other Officers in New Jersey to be hired. We also will accept other individuals who are PTC certified. The alternate route program has been disbanded and closed indefinitely due to out of work Officers. Part B is to allow Officers to be hired and put them through training.

Councilmember Mascola asked the criteria to become an auxiliary Officer.

Chief Bryan said they are interviewed by Police staff and they are sent to a training academy that is not as intensive as Police Officer training.

Councilmember Gomez asked how many years someone can serve in the auxiliary.

Chief Bryan said this is indefinite. There are eleven slated for the academy next month.

Councilmember Gomez asked if this is for a specific amount of time and Council President Karabinchak said two years of service.

Chief Bryan said the auxiliary served a function during hurricane Irene and they are very reliable. Their service does not go unnoticed.

Councilmember Mascola felt we are comparing two years of service with two years of active military duty and said the auxiliary time should be increased.

Mr. Kemm clarified that the purpose is to change the minimum criteria to be considered under either hiring scheme. If someone is on auxiliary for two years, they would still have to go to the academy.

Council President Karabinchak said one of the issues is the difference between military and auxiliary. This also states that anyone who received sixty credits could take the test without serving in either situation. This is just to give an opportunity to auxiliary Officers to try and take the test.

- g. Council President Karabinchak asked the status of Woodbrooke Corners.

Mr. Medina said as far as the drainage and roadway, they are looking into this. The County will get information for the light.

- h. Council President Karabinchak asked about Gurley Road.

Mr. Medina said there is adequate funding and we owe the County \$1 million pre-bid contribution.

- i. Council President Karabinchak said he received information from the Administration last year for a capital improvement plan and there are a few items that he would like give to Ms. Ruane. He explained the difference between a capital budget plan and a capital improvement plan. He spoke about a Police garage expansion and said there is a real need for this. He also spoke about being a half a million dollars short for the light at Woodbridge and Gurley Road.

Mr. Medina said Mr. Pollex identified another capital funding source to allow this \$1 million payment.

Council President Karabinchak asked about Tingley Lane and Inman Avenue.

Mr. Medina said initially we applied for local aid and we will apply for discretionary aid to offset the capital costs.

Council President Karabinchak asked about turning the Kilmer building into a community center.

Mr. Medina said he will look into this.

Council President Karabinchak asked if the properties were finally acquired from the Federal Government and Mr. Kemm said not yet.

Mr. Kemm said he does not know the status but he will follow up.

Council President Karabinchak said the Council also approved the housing last year.

Mr. Kemm said this is same process and is partially funded by HUD.

Council President Karabinchak spoke about the report on the sanitary system. He said many residents have sewage in their basements. He said he has MCUA meter readings from the pump station to Johnson Park. He said the only thing that is supposed to go through the pipes is sewage but it increases when it rains also. He feels this report needs to be looked at and we cannot ignore

this issue. He also discussed the storm water analysis and the repairs. He also felt that the improvement plan for the landfill should be put in the capital plan. He spoke about the benefit area, which has no funding and costs about \$7 million. The Township can put a solar farm on this landfill when it is complete. The DEP has just allowed municipalities to put these up on landfills. He noted Edison has miles of roads and a lot of the time we see the same road getting paved three or four times when there are many old roads that are never repaved or cleaned. He said this is roughly \$52 million of work.

Councilmember Diehl:

- a. Councilmember Diehl discussed the traffic on Calvert Avenue and has received calls about the “s” turn. A resident said there were four accidents in a two week period and as soon as we took the radar away, the speeding started happening again. He said they are using Stephenville Parkway as a cut through to Menlo Park Mall and suggested a three way stop at the corner of Oliver and Calvert or paint a white line.

Chief Bryan said he will coordinate with Mr. Medina and Mr. Roderman and will continue selective enforcement to cut down on speeding.

Councilmember Gomez:

None

Councilmember Lankey:

None

Councilmember Lombardi:

None

Councilmember Mascola:

None

Councilmember Prasad:

Councilmember Dr. Prasad was absent.

18. CLOSED SESSION:

The Council retired to Closed Session at 7:08 p.m., on a motion made by Councilmember Diehl, seconded by Councilmember Mascola and duly carried. The Township Clerk read the following Resolution into the record:

CLOSED SESSION RESOLUTION

WHEREAS, Article VI of the Open Public Meetings Act provides that a public body may hold a closed session; and

WHEREAS, the Township Council will during this meeting enter into discussion of the following matters:

- 1) Litigation – Visco Property
- 2) Personnel

WHEREAS, the matters to be discussed in closed session are to remain in the strictest of confidence by all Council Members in furtherance of their fiduciary duties to the Township of Edison;

NOW, THEREFORE, BE IT RESOLVED, matters discussed at this meeting will be released to the public when the reasons for discussing and acting upon them in closed session no longer exists.

The Council returned from Closed Session at 9:55 p.m., on a motion made by Councilmember Mascola, seconded by Councilmember Prasad and duly carried.

On a motion made by Councilmember Mascola, seconded by Councilmember Prasad, with all in favor, the meeting was adjourned at 9:55 p.m.

Robert Karabinchak
Council President

Reina A. Murphy, RMC
Municipal Clerk