

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
Monday, April 22, 2013**

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 6:07 p.m. by Council Vice President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers, Karabinchak, Lankey, Lombardi, Mascola, and Prasad.  
Councilmember Diehl entered at 6:12 p.m.  
Councilmember Gomez entered at 6:17 p.m.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Finance Director Saponaro, Management Specialist Stephens, Recreation Director Halliwell, Public Works Director Roderman, Health Director Elliot, Township Engineer Medina, Police Captain Pemberton, Fire Chief Latham, 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 December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

Council Vice President Lombardi opened the meeting for comments from the public.

Marilyn Brown, Oak Tree Road, asked for an explanation of the overlay zone. She also asked if it would be a complicated process to rename Oak Tree Road to Oak Tree Parkway.

Mr. Kemm said this is a County road and changing the name would involve changing maps, GPS and would cause confusion.

Councilmember Karabinchak explained the overlay zone. He said this would allow business property owners to skip the Zoning Board and go in front of the Planning Board.

Ms. Brown asked which properties this would affect on Oak Tree Road.

Councilmember Karabinchak said this will only affect a few properties and must go before the Planning Board.

Ms. Brown asked if the parking requirements will remain the same.

Councilmember Karabinchak said "yes" there will be no relief.

Bruce Diamond, Calvert Avenue West, asked about the Ordinance just passed regarding No Parking on Alexis Lane. He asked what the condo parking requirement is. He also commented on an article he read involving an entire municipality negotiating with a power company in order to save money and asked if we have ever looked into this. He felt the overlay zone smells funny and we should not be allowing businesses to avoid the Zoning Board. He asked for an explanation as to the reason for the overlay zone. He doesn't understand why we would give up our checks and balances.

Councilmember Karabinchak said he is not sure how it works for residents regarding negotiating with the power companies. He explained that the overlay zone is to help Edison get rateables. It does not circumvent the Zoning Board as they still have to meet all criteria. It only addresses a few test spots and has no negative effect on the residents.

Jane Tousman, 14 Butler Road, said she has heard a rumor about a private meeting after the Council meeting regarding the budget. She said she has done some research on the overlay zone and found it is called a libertarian

zone and should have an official map. She said Edison has never adopted an official map. She felt overlay is a backward form of zoning. She also commented that we are lacking detail on the Kilmer housing.

Councilmember Karabinchak said the Kilmer ordinance was changed to meet our code.

Mr. Kemm said the detail will come when they make application to the Planning Board. He also said overlay zone is permitted and recognized by Municipal Land Use Law.

Ms. Tousman said it is not in the Municipal Land Use Law book.

Esther Nemitz, 162B Fay Street, spoke on the overlay zone. She requested a list of applications that the Zoning Board has turned down. She said if residents object to a decision by the Zoning Board they can appeal to the Council. If it is done through the Planning Board they cannot.

Lois Wolke, 10 Peake Road, said she is very uncomfortable with this overlay zone and once it is in place she questioned if we can undo it or are we stuck with it. She said the Zoning Board has reasons for what they do and this is circumventing them and there are too many unanswered questions.

Burton Gimelstob, 6 Churchill Road, asked for a moment of silence for the Boston Marathon victims. He asked if there will be a private meeting between the Finance Committee and the department heads on the budget. He said in the past there has been a public budget meeting so why not now. He asked Mr. Stephens when he was on the Council if there were open meetings on the budget and what the objection is to doing it now.

Councilmember Lankey said the Finance Committee meeting with the public is scheduled for May 1<sup>st</sup> at 6:00 p.m.

Fred Wolke, 10 Peake Road, asked what happens next now that the school budget was voted down.

Councilmember Lombardi said the Council just received the school budget today. They will form a subcommittee, comprised of Councilmembers Mascola, Karabinchak and himself to review it. There will be a public meeting on May 15<sup>th</sup> as the deadline to have it to the State is May 20<sup>th</sup>.

Mr. Wolke felt Mr. Gimelstob was out of line and that the Finance Committee has a right to meet on the budget.

Bruce Diamond, Calvert Avenue West, asked why gas stations are part of the overlay zone. He asked if someone has a house on Oak Tree Road can it be turned into a gas station.

Councilmember Karabinchak said it is based on permitted use.

Marilyn Brown, Oak Tree Road, felt that we do not need any more retail space built or developed on Oak Tree Road.

Burton Gimelstob, 6 Churchill Road, asked what harm there would be in having tonight's budget meeting open to the public in the interest of open government.

Councilmember Karabinchak said this is a meeting for gathering information. He said nothing is formalized yet.

Joe Petrucelli, 62 Revere Blvd., said the Finance Committee is trying to keep taxes down. He said the private citizen members are volunteering their time and he takes offense at being criticized for being secretive. He said they are working hard and putting in a lot of hours to find solutions.

Esther Nemitz, 162B Fay Street, said she has been through many transitions from Mayor to Mayor going back to Mayor Yelencics and there have always been public budget hearings.

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

**5. APPROVAL OF MINUTES**

a. and b. No comments were made.

**6. CY2013 MUNICIPAL BUDGET:**

a. No comment was made.

**7. REPORTS FROM ALL COUNCIL COMMITTEES**

Councilmember Lankey again stated some important dates. He said Wednesday, April 24<sup>th</sup> there will be a public hearing on the budget. On May 1<sup>st</sup> at 6:00 p.m. in the Edison Room, there will be a public meeting with the Finance Committee.

Councilmember Lombardi thanked Mr. Gimelstob for recognizing a moment of silence for the Boston Marathon victims. He again stated that the Special meeting on the school budget will be held on May 15<sup>th</sup> at 6:00 p.m. in the Council Chambers.

**8. POINTS OF LIGHT**

Council President Diehl said there will be a drug drop off on Saturday, April 27<sup>th</sup> between 10 a.m. and 2 p.m. at the Municipal Complex and he asked Mr. Elliot to explain.

Mr. Elliot said this is a safe way to dispose of prescription medications.

Councilmember Dr. Prasad asked if this includes insulin needles.

Mr. Elliot said “no”, they can be disposed of in the regular trash by breaking off the tips and putting them in containers.

Council President Diehl congratulated the Edison Wetlands for the 2<sup>nd</sup> grade educational program they put on for the students at the Triple C Ranch.

Councilmember Mascola said the Knights of Columbus tootsie roll drive raised \$20,000 this year. It is their 40<sup>th</sup> year and he thanked the residents for their support.

**9. FROM THE BUSINESS ADMINISTRATOR:**

a. No comment was made.

**FROM THE DEPARTMENT OF FINANCE:**

a. through d. No comments were made.

**11. FROM THE DEPARTMENT OF HEALTH:**

a. Councilmember Lankey asked why there is only one bid.

Mr. Elliot said very few companies can do this sort of repair.

b. Council President Diehl said he worked with Mr. Elliot and Mr. Spiegel on this and he is proud to be a part of such a wonderful event.

**12. FROM THE DEPARTMENT OF LAW:**

a. No comment was made

- b. Council President Diehl asked for an explanation.

Mr. Kemm said that this law suit has been ongoing since 2009 and additional funds are needed.

- c. Council President Diehl said he appreciates all Councilmember Karabinchak's hard work on this but he is still very concerned and has many questions. He does not want to move this forward. He asked what the Administrations stand is on this.

Ms. Ruane said they are no further along than the Council is.

Council President Diehl felt we need to give this careful consideration.

Councilmember Karabinchak said this is a good discussion. He felt we should look at sending this to the Planning Board. This would just be tested in a few areas to see if we can attract businesses to Edison.

Council President Diehl suggested putting a subcommittee together to look into the overlay zone. He said he does not want to rush into anything. He wants to make sure that everyone understands this and that it makes sense. He doesn't want any surprises like we had with the Open Space Trust fund money.

Councilmember Mascola felt this should be a pilot program for a certain length of time to see if it accomplishes what it is intended to do.

Councilmember Gomez asked that we set this up quickly in order to bring additional revenue into the Township.

**13. FROM THE LIBRARY**

- a. No comment was made.

**14. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

- a. and b. Mr. Medina explained these items.

**15. FROM THE DEPARTMENT OF PUBLIC WORKS:**

- a. No comment was made.

**16. FROM THE DEPARTMENT OF RECREATION:**

- a. No comment was made.

**17. FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

Councilmember Lombardi reported there were two applications heard. The first was for a warehouse at 52 May Street that was approved. The other at 73 Old Raritan Road was tabled.

**18. UNFINISHED BUSINESS:  
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:**

O.1831-2013 No comment was made.

**19. PROPOSED RESOLUTIONS:**

R.204-042013 No comment was made.

**20. COMMUNICATIONS:**

None

**21. DISCUSSION ITEMS:**

**Council President Diehl:**

- a. He said a candidate for second alternate member to the Zoning Board will be put up on Wednesday evening.

**Councilmember Gomez:**

- a. He reported on some good Police work done by our Police Officers. He felt there always seems to be a lot of negative reporting and he wanted to let the residents know that the goal of the Public Safety Committee is to change that.

**Councilmember Karabinchak:**

- a. and b. No comments were made.
- c. He said he is happy to see progress being made.
- d. No comment was made.
- e. He would like to see a sub-committee formed to do interviews with all the applicants for the Zoning Board.

Councilmember Dr. Prasad asked if the process could be expedited.

**Councilmember Lankey:**

- a. He asked the Administration about the change of location for the Memorial Day parade.

Mr. Stephens replied that it has been changed to Amboy Avenue.

**Councilmember Lombardi:**

None

**Councilmember Mascola:**

- a. He asked for an update on the Edison landfill.

Ms. Ruane said she will follow up and get back to him.

**Councilmember Prasad:**

None

On a motion made by Councilmember Mascola, seconded by Councilmember Gomez, with all in favor, the meeting was adjourned at 8:03 p.m.

---

Robert Diehl  
Council President

---

Cheryl Russomanno  
Acting Municipal Clerk