

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION MEETING
JUNE 10, 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 6:04 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak and Lombardi.
Councilmember Prasad entered at 6:07 p.m.
Councilmembers Lankey and Mascola were absent.

Also present were Deputy Clerk Kenny, Record Clerk McCray, Township Attorney Kemm, Business Administrator Ruane, Management Specialist Stephens, Finance Officer Saponaro, Recreation Director Halliwell, Township Engineer Medina, Fire Chief Latham, 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, the Sentinel and the Chronicle on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

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

Dennis Arico, 54 Loring Avenue, said he was here back in October and is present again to address the issues he has with Nissan of Edison. He gave credit to Chief Bryan for always coming out but he said the problems continue to happen. They are parking cars on a residential street, speeding and littering. He has tried to speak with them but is met with resistance. He said the neighborhood was promised residential parking only signs and has never received them. He said he needs answers as to what to do.

Councilmember Karabinchak said that Nissan has conditions for operating. He asked if the Zoning Officer has gone out there.

Mr. Medina said the Zoning Officer was there and found them to be compliant.

Councilmember Karabinchak said that one condition is there is to be no parking on the street.

Mr. Medina said Mr. Lombardi the Zoning Officer did not find that condition.

Mr. Arico said the Zoning Officer would have to camp out there 24/7.

Councilmember Karabinchak suggested that Mr. Arico take pictures of the violations when they occur and email them to Mr. Medina. He said the Zoning Officer has the ability to shut the business down.

Mr. Arico said he did take pictures eight months ago and submitted them to the Council.

Councilmember Gomez said he has gone out to the location with Officer Cimmino and spoke with Nissan. He said this has now also become a fire issue and he will speak with Chief Latham.

Mr. Arico again asked about the residential parking signs.

Mr. Medina said he will check with Mr. Roderman as they come out of his budget.

Council President Diehl said unfortunately we have seen this problem before regarding businesses that aren't good neighbors. He felt Mr. Arico should follow the advice of the Council and that the ball is now in our court.

Chief Bryan said he is very sympathetic and some summonses were issued. He will send someone to speak with the General Manager of Nissan.

Mr. Arico felt we need to block access to Loring Avenue.

Christopher Jones, 67 Loring Avenue, said there is a fence down on the Nissan property since hurricane Sandy. He lost his dog through the broken fence and had to pay to retrieve his dog from the pound. He has asked Nissan to fix the fence but they have not.

Council President Diehl asked Chief Bryan to bring this concern to Nissan also.

Councilmember Karabinchak said this is a condition to operate. They must repair the fence.

Clark Elison, 98 Loring Avenue, said there is a large commercial vehicle parked in a driveway on Loring Avenue that is idling and the diesel fumes are affecting his health. He passed out pictures to the Council. He said he will no longer accept this situation and is considering taking legal action. He said he gets nowhere with Mr. Lombardi the Zoning Officer.

Robert Yackel, 25 Dellwood Road, commented that our ladder trucks are out of service more than they are in. He said we passed a Resolution to purchase a new truck and he asked the status.

Chief Latham said the bids went out for the new truck this morning. There is about a one year lead time.

Mr. Yackel said this is not a joke, public safety is at stake.

Jane Tousman, 14 Butler Road, inquired about an OPRA she filed regarding the Open Space Trust Fund.

Ms. Saponaro said she will speak with Ms. Tousman regarding her OPRA request.

Esther Nemitz, 162B Fay Street, said the Farmers's Market is now open and she urged everyone to attend. She spoke on the public affairs permit ordinance and said she had many questions regarding how events will be impacted.

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

5. APPROVAL OF MINUTES

a. through c. Accepted as submitted.

6. 2013 CALENDAR YEAR MUNICIPAL BUDGET:

a. and b. No comments were made

7. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Gomez reported that the Finance Committee's report on the budget is available for the public to view. He also reported on arrests that were made and cases that were solved by the Police department.

Council President Diehl reported that he attended an Open Space Committee meeting along with Ms. Saponaro. He said the meeting was fruitful and a lot of information was shared. He said this matter goes back through three Administrations and several Business Administrators and Finance Directors and there are mounds of information to go through.

POINTS OF LIGHT:

Councilmember Dr. Prasad said that Family day was a great event and he thanked and congratulated everyone involved.

Council President Diehl said this is the 22nd year for this event and this is the most people he has ever seen in attendance. He said a nice job was done by all involved.

9. FROM THE BUSINESS ADMINISTRATOR:

a. through d. No comments were made.

10. FROM THE DEPARTMENT OF FINANCE:

a. through e. No comments were made.

11. FROM THE DEPARTMENT OF HEALTH:

a. and b. No comments were made.

12. FROM THE DEPARTMENT OF LAW:

a. Councilmember Karabinchak requested that this be pulled from the agenda as there are still many questions to be answered.

b. No comment was made.

c. Councilmember Karabinchak asked what occurs when the limit is reached.

Mr. Kemm said there would be no new applications accepted until an opening occurred.

Council President Diehl asked how many we have currently.

Councilmember Karabinchak said currently we have seventy nine and the limit would be capped at sixty.

Council President Diehl asked who would be excluded.

Councilmember Karabinchak said there are many changes in the ordinance that may exclude some such as increased fees and insurance.

Council President Diehl felt the fee increase is excessive and may put some people out of business. He did not feel this is the way to go.

Councilmember Karabinchak said this ordinance addresses the concerns of the taxi owners also. He said if they want to do business in Edison they must follow the appropriate rules. He felt this ordinance mimics the best in the State.

Council President Diehl said the tragedy of Edison is the legal bills that we pay and he felt this opens up the risk of litigation.

Councilmember Lombardi asked if this will expose the Township to liability.

Mr. Kemm said he was not aware that we were already at seventy nine and we will have to come up with a way to handle this.

13. FROM THE LIBRARY:

a. Councilmember Karabinchak questioned why this is on our agenda.

Councilmember Gomez asked if the Council has no role in this and the Library Board already voted on and approved this why it must be on our agenda.

Ms. Ruane said that according to our Township ordinance all contracts/purchases that are over \$5,000 must be voted on by Council.

Councilmember Karabinchak requested that this be pulled from the agenda.

14. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through t. No comments were made.

u. Council President Diehl asked for an explanation.

Mr. Medina explained why the bids were rejected and said we must re-advertise

15. FROM THE DEPARTMENT OF PUBLIC WORKS:

a. through f. No comments were made.

16. FROM THE DEPARTMENT OF RECREATION:

a. and b. No comments were made.

17. FROM THE CHIEF OF POLICE:

a. No comment was made.

18. FROM THE TOWNSHIP CLERK:

a. No comment was made.

19. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Lombardi said the next meeting will be held on June 17th.

**20. UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

O.1837-2013 No comment was made.

21. PROPOSED RESOLUTIONS:

None

22. COMMUNICATIONS:

a. Received as submitted.

23. DISCUSSION ITEMS:

Council President Diehl:

None

Councilmember Gomez:

None

Councilmember Karabinchak:

a. through c. No comments were made

d. He said he has received a lot of comments regarding the overlay zone.

e. He said he is working with the Construction Official on an ordinance to expedite the permit process for an extra fee.

f. He said they are working on the sale of a new liquor license within the next two months.

Councilmember Lankey:

Absent

Councilmember Lombardi:

None

Councilmember Mascola:

Absent

Councilmember Prasad:

a. He asked if there are any plans and a timetable for hiring new Police Officers.

Ms. Ruane said “yes” there are plans to hire at least six by July 1st.

Councilmember Dr. Prasad asked where the list came from.

Ms. Ruane said she will get that information.

Councilmember Dr. Prasad asked the process for hiring new Police Officers.

Chief Bryan explained the process.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, with all in favor, the meeting was adjourned at 7:15 p.m.

Robert Diehl
Council President

Robin Kenny, RMC
Deputy Municipal Clerk