

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
July 20, 2015**

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 6:02 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Karabinchak, Lombardi, Mascola, Prasad and Shah. Councilmember Gomez entered at 6:13 p.m.

Also present were Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Township Auditor Morrison, Recreation Director Halliwell, Health Director Elliot, Township Engineer Kataryniak, Deputy Police Chief Anderko, 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 11, 2014 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.

Tony Eckert, 141 Pleasant Avenue, said he was here a month ago asking that we take a look at property maintenance issues at an address and the next day the grass was cut. He asked if there was any news on the empty property at 21 3<sup>rd</sup> Street. He also mentioned a course at Rutgers on instructing people on how to prune trees and suggested that DPW employees attend.

Mr. Elliot said the owner was in court and has 30 days to come in with permits to do the work.

Mike Orlowski, 26 Sheryl Drive, asked who selected Government Strategies to do the CFO work and what was the basis of that award.

Mr. Northgrave said Government Strategies contacted us knowing we needed CFO services.

Mr. Orlowski asked what Mr. Fargo will be doing.

Mr. Northgrave said he will only be working six hours per week which is not sufficient.

Mr. Orlowski said he did some research and there is no minimum amount of hours in the contract. He said he also read what other municipalities Mr. DeRoberts works for and said there are only 24 hours in a day and he does not understand how Mr. DeRoberts will do all this work. He asked if Mr. DeRoberts signs in and out and how will we know how many hours he is spending here.

Mr. Northgrave said this service is sorely needed as we have been without a CFO for over a year.

Maria Orchid, 80 Jefferson Avenue, said we need additional traffic signals in the Township and she gave specific locations. She also felt pedestrian crossings with flags should be considered.

Councilmember Diehl said he well understands the traffic problems.

Jim Kelly, 32 Route 27, felt that the traffic signal at the entrance to Town Hall should be a delayed light for left turns into the complex. He also said the traffic signal at Colton Road needs to be timed faster. He would also like to see a "Stop Here on Red" sign by the PNC bank and also by McDonalds. He asked for an update on the Hartz site.

Mr. Northgrave said Top Golf is currently before the Planning Board.

Charles Goldstein, said Law Enforcement Officers are sworn to protect and preserve but there are problems in Edison. He felt if any racial statements have been made it would be a serious mistake to let this issue lie. He said at a bare minimum, a Law Enforcement Officer must be able to testify in court and the Officer in question cannot. He felt an ordinance should be enacted that if an Officer is unable to testify in court he cannot keep his job.

Bruce Diamond, Calvert Avenue West, asked the status of his complaint regarding recycling trucks dropping glass on the streets. He said he believes that Open Space money has disappeared in to the general fund. He also said that we all make mistakes but there is no place in the community for people who text ugly things amongst themselves. He said one bad Police Officer brings us back into the newspapers and it offends him. He mentioned an issue in the newspapers regarding Morristown asking for tax dollars from Morristown Memorial Hospital from the for profit parts of the hospital. He asked if we can do the same with JFK.

Mr. Northgrave explained the tax appeal with Morristown Memorial.

Mr. Diamond felt we don't have the guts in this Township to go after bad Police Officers or bad decisions and that's why we are in the shape we're in. He said when push comes to shove we do not fight for our rights. He also said he does not understand why Mr. Northgrave answers questions on behalf of the Council as we works for the Mayor.

Jack Rothstein, 24 Sheryl Drive, questioned the Government Strategies contract. He said the CFO is an important position and he asked why there was no competitive bid.

Mr. Northgrave said over the course of a year we only had maybe two applicants for the CFO position. There is a shortage of CFO's in the State. This was a viable alternative with the same cost as hiring a CFO.

Mr. Rothstein said if they are the only company in the State that does this than he does not have a problem with it but he suggested we look around to see if there are other companies out there.

Mr. Northgrave said we can put out a proposal but he is not confident that we would find another company.

Julian Zammit, 17 Stiles Road, asked if Government Strategies would work a transition if we found someone else. He also said he would like to see a "no turn on red" at the traffic light by Sam's Club on Vineyard Road as he has almost gotten hit there a few times.

Councilmember Mascola said there have been a lot of questions on Government Strategies and he felt someone from Administration should be here.

Fred Wolke, 10 Peake Road, said Government Strategies is taking a hit tonight. He questioned why Mr. Fargo's Resolution is retroactive to January 1, 2015 when we only hired him in June. He asked what he did for us between January and June.

Mr. Northgrave said we were not paying him at that time.

Mr. Wolke asked why we are supplying Kilmer Homes with generators.

Mr. Kataryniak said they are eligible under CDBG funds for generators.

Maryann Hennessey, 20 Carmello Drive, questioned the Hoagland Resolution and asked how many bills are still sitting out there for 2013.

Mr. Northgrave said these are bills we inherited. He said the Hoagland firm is still handling some tax appeals and this will last into next year.

Ms. Hennessey asked that the street addresses be put into the Resolutions, not just the block and lot.

Peter Kothari, Oak Tree Road, said he is concerned about the issue with the Police Officer. He said he is not against any particular Officer but when someone makes comments against a particular group of people, it brings back memories of past issues with Officers where nothing was done. He felt this is a very serious matter and he is very concerned. He asked that appropriate action be taken. He felt that every Councilmember should have a position on this subject and silence means you are not responsible.

Lois Wolke, 10 Peake Road, said she shares the concerns voiced about the CFO. She feels it is not fair to the residents that the CFO is not present to answer questions. She asked where we stand on the parade ordinance.

Councilmember Mascola said he is working on it and hopes to have it by the September meeting.

Ms. Wolke said there are two parades coming up in August and she is disappointed that the ordinance is not on.

Esther Nemitz, 162B Fay Street, said she read the legal ads in the Star Ledger regarding the Mount Laurel decisions and she asked for a copy of Edison's complaint.

Mr. Northgrave explained the declaratory judgement and said he will get her a copy which was filed this month. He said municipalities have all chipped in to hire an expert.

Mr. Swali, 9 Banyan Court, said he echoes the concerns of others regarding the racist Police Officer. He said racial discriminatory toleration is embarrassing. He commented that this Officer cannot testify in Court and any case of his would have to be thrown out. He urged the Council to consider this.

Mr. Swali, 9 Banyan Court, said he does not know what kind of remark Officer Padano made but he would be afraid for him to come to his house knowing he had made racial remarks. He asked what kind of investigation was done to put him back on the force and in what position.

Mr. Northgrave said he cannot answer personnel questions.

Mr. Swali again asked how he can be put back on the force.

Mr. Northgrave said his concerns are well understood and being considered but he cannot comment.

Mr. Swali said he feels he was put back on the force for financial reasons.

Mr. Northgrave said this is an unfair assumption. He said an employee has rights that he must also protect and if he discusses this it may expose Edison to further liability.

Mr. Swali felt this decision should be reconsidered.

James Daniels, Amboy Avenue, said where he lives on Amboy Avenue is a Township Road but from Our Lady of Peace Church to the Turnpike it is both County and municipal and has always been a problem. He asked if we are responsible for the generators being installed at Kilmer Homes or are we just paying for them. He also felt Police Officers should be judged on the job that they do and nothing else.

Mr. Kataryniak said federal funds are paying for the generators.

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Esther Nemitz, 162B Fay Street, said part of Amboy Avenue is in bad shape. She spoke to Freeholder Tomaro and he said the State is responsible.

Peter Kothari, Oak Tree Road, said the Mayor is responsible for all of us. He said the Council is elected by the people and he asked if they have any say on employment decisions.

Mr. Northgrave said all employment decisions reside with the Mayor not the Council according to State law.

Bruce Diamond, Calvert Avenue, felt the reason we have problems finding a CFO is due to the type of municipality we are. He said there is too much political nonsense.

Councilmember Karabinchak said we need to change our ordinance to pay the CFO more as all surrounding municipalities pay more.

Mr. Swali, 9 Banyan Court, asked if the Council can hire an attorney and take action to override the Mayor's decision.

Mr. Northgrave said there is no override by Council.

Maryann Hennessey, 20 Carmello Drive, said it needs to be made abundantly clear that we operate under the Faulkner Act. She said residents can educate themselves about this on the League of Municipalities website.

Councilmember Dr. Prasad asked what this Officer will do when he comes back on duty. The Prosecutor has said he does not want him to be a witness in any case so what kind of duties will he perform.

Mr. Northgrave said he is confident the Chief Bryan and Deputy Chief Anderko will take the officers disability into consideration.

Councilmember Dr. Prasad again asked if you have an Officer that cannot do a Policeman's duties what type of job will you give him.

Deputy Chief Anderko said he cannot deal in hypotheticals. He said the Police department will be administering cultural diversity training and will reinstate bias based policing as this Police Department is moving forward.

Charles Goldstein, said Mr. Northgrave made an analogy that this Officer has a disability which is wholly inappropriate. He feels he needs more than diversity training. He said we need to consult with the Attorney General's office and face this head on. This is not an isolated incident and can come back to bite us.

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

**CLOSED SESSION:**

The Council retired to Closed Session at 7:47 p.m., on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez 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:

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1) 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 9:23 p.m., a motion to reconvene was made by Councilmember Karabinchak, seconded by Councilmember Gomez and duly carried.

**5. ADMINISTRATIVE AGENDA:**

- a. Councilmember Mascola asked if he is replacing someone and is there term up.

Mr. Northgrave said yes.

**6. 2015 CALENDAR YEAR SOLID WASTE BUDGET:**

**2015 CALENDAR YEAR MUNICIPAL BUDGET:**

Mr. Morrison explained we are adopting the budget pending final approvals from the State. He explained the budget amendment saying the property tax rate goes down to a 2.7 cent tax increase and the net impact is a 2.9 increase in local tax.

**7. REPORTS FROM ALL COUNCIL COMMITTEES:**

None

**8. POINTS OF LIGHT;**

None

**9. FROM THE BUSINESS ADMINISTRATOR:**

- a. Councilmember Mascola said this looks like it is for two back-up servers to be held off- site. He asked if it wouldn't be easier to do this through the cloud.

Mr. Northgrave said he will check on it.

- b. through f. No comments were made.

- g. Councilmember Mascola asked for an explanation.

Mr. Kataryniak said this is for a series of signs, vests and other protective gear.

**10. FROM THE DEPARTMENT OF FINANCE:**

- a. through d. No comments were made.

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

a. No comment was made.

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

a. through f. No comments were made.

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

a. through f. No comments were made.

g. Councilmember Dr. Prasad said we were assured that the \$100,000 would be enough and we came in over.

h. and i. No comments were made.

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

a. through f. No comments were made.

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

a. and b. No comments were made.

**16. FROM THE CHIEF OF FIRE:**

a. and b. No comments were made.

**17. FROM THE CHIEF OF POLICE:**

a. through e. No comments were made.

**18. FROM THE TOWNSHIP CLERK:**

a. and b. No comments were made.

b. Councilmember Dr. Prasad asked where and when the parade is being held.

Ms. Russomanno explained.

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

Councilmember Shah said there was a meeting held on July 15<sup>th</sup>. She abstained from Top Golf. An application for Oak Tree and Ventnor was adjourned. There was also a request to subdivide for two new single family homes. She said the next meeting is on August 10<sup>th</sup>.

**20. UNFINISHED BUSINESS:**

**ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION:**

O.1911-2015 No comment was made.

**21. COMMUNICATIONS:**

Received as submitted

**22. DISCUSSION ITEMS:**

**Council President Diehl:**

- a. He said on May 9, 2014 the Battle of Short Hills was placed on the National Register of Historic places and he would like a plaque to commemorate this. He would like the Metuchen Edison Historical Society to word the plaque and he would like the Council to purchase it and have it installed.

**Councilmember Gomez:**

None

**Councilmember Karabinchak:**

- a. He asked that we make Edison a poster child for the State of New Jersey to create correctiveness in our Town. He said there is no ordinance on the books to terminate for racist remarks and he would like the attorney to draft one and have it placed in all union contracts that there is zero tolerance for this.
- b. He said we have internal lawsuits that come forward and are always settled and not defended. He felt it is ludicrous that we do not fight in fear of political retaliation.

**Councilmember Lombardi:**

- a. He asked for an update on the traffic light at Woodland Avenue.

Mr. Northgrave said the property owner wanted to talk but they are moving forward with the declaration of taking.

**Councilmember Mascola:**

- a. He asked if the budget amendment is okay with the Finance Committee.

Councilmember Gomez said yes and he will do a presentation. There are a few areas where we can cut back a little but no major areas.

**Councilmember Prasad:**

- a. He again asked about the felling of trees at Oak Ridge Park.

**Councilmember Shah:**

- a. She said we heard a lot of comments this evening from residents and she hopes on Wednesday the Council will pass a Resolution to form a Committee of the Whole.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, with all in favor, the meeting was adjourned at 9:53 p.m.

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Robert Diehl  
Council President

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Cheryl Russomanno, RMC  
Municipal Clerk