

**MINUTES OF A SPECIAL MEETING
MUNICIPAL COUNCIL - TOWNSHIP OF EDISON
JUNE 29, 2011**

A Special Meeting of the Municipal Council was held in the Council Chambers of the Municipal Complex on Wednesday, June 29, 2011. The meeting was called to order at 5:39 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Karabinchak, Lankey, Mascola and Prasad.
Councilmember Gomez entered at 5:39 p.m.
Councilmember Perilstein was absent.

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Acting Business Administrator Stephens, Acting Finance Director DeRosa, Public Works Director Roderman, Health Director Elliot, Recreation Director Halliwell, Police Chief Bryan, Deputy Fire Chief Latham and Cameraman Cologne.

The Township Clerk advised that adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by a Special Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on June 23, 2011, and posted in the Main Lobby of the Municipal Complex on the same date.

HEARING ON DUSHAHRA PERMIT

Council President Diehl said we are here for a hearing on the Dushahra permit. The Council has been apprised and informed on different aspects of this. It has come before the Council to determine if they want to make a decision on this.

Elander Prasad, Vice Chairman, explained his defense in this denial. He said this is a non-profit festival that has been celebrated since 1999. He explained the crafts that are displayed at this festival. He said they provide general liability insurance to the Township. He said there are more than 3,500 parking spaces within walking distance. This is a free event and half of Edison's residents are from the Indian community. They have never had any report of violence. He said this is a family affair and they comply with all the rules of the Township. He felt excessive fees were imposed in 2010. He said the festival is a feather in the cap for Edison Township.

Lt. Sal Filannino, Edison Police Department, spoke on behalf of the Police Department. He worked the festival for the last two years and said last year was definitely more orderly and better run than 2009. He discussed parking at Revlon last year and said the festival participants are not going to be allowed to use this parking lot for 2011. He felt this was key in the decision making and there will have to be significant offsite parking, which is a concern for the Police Department. He said Brunswick Avenue had to be closed down in the past and there were minor incidents of people being impatient to get onto the bus to their parking areas. He said it was taxing to handle the crowd that was coming out and he was concerned with the patrons not having enough parking. He said there was only one minor incident during the festival. Two people were arrested in the parking lot at Revlon. He said they will use the same amount of Officers as last year but the pay rate will be a little more expensive. He said last year, the organization said a donation would be made to the auxiliary, but no donation was made.

Council President Diehl asked the total number of guests at the event.

Lt. Filannino said last year there were around six to seven thousand.

Council President Diehl clarified that there were fewer problems last year than the previous year.

Lt. Filannino said this was because it was held on Sunday instead of Saturday and also because of the Revlon parking.

Council President Diehl asked why Revlon declined the use of their lot.

Mr. Kemm said Revlon and Edison Square both declined their parking because the agreements were breached. The parking lots were supposed to be cleaned and ready for business on Monday morning. He said Edison Square tenants could not park in their lot on Monday morning.

Council President Diehl asked Mr. Kemm about Edison Square being unusable.

Mr. Kemm said the owners of Revlon had to incur expenses on their own to clean up.

Council President Diehl asked how many spaces are in the two lots.

Lt. Filannino explained the amount of parking spaces and their location.

Council President Diehl asked, with the Barclays event coming, how many attendees are expected as he felt this event is several times larger. He said the Township of South Plainfield is looking at other places for parking areas and he asked if Edison has looked at other places in town.

Mr. Kemm said Barclays is a different issue. Before talking to the Township, they have secured parking areas in the Township and secured shuttle services. He said it is not up to the Township to find areas for parking.

Council President Diehl said the officials in South Plainfield do not have any agreement for transportation. He has heard that attendance for Barclays will be about 50,000 people.

Mr. Kemm said the PGA manages the Barclays tournament and they have experience on how to handle this.

Council President Diehl said Barclays is working with the Townships to provide parking. He asked if the Administration chose to work with Dushahra to find available parking.

Mr. Stephens said they are not working with Barclays to find parking. He said they signed contracts for private security. The only thing Edison is handling is the traffic coming in and out.

Council President Diehl felt this is a big event with several thousand people attending. He has attended the event in the past and said parking is a legitimate issue. He asked, as an Administration, do they want the festival to happen. If their position is that they have to find parking spaces they have to have cooperation. He is surprised at this late date, this is what we have. Last time this was discussed, the reasons given were that the park was not clean and there were holes in the macadam. This is the first time that this much emphasis has been put on the parking issue.

Mr. Stephens said the Township procured the Revlon parking lot last year.

Council President Diehl asked the steps taken this year to find alternate parking.

Mr. Prasad said in 2009 the parking was not shored up.

Council President Diehl asked if the officials were apprised that Revlon will not allow them to park there.

Mr. Kemm said they were contacted the day after the event last year and told that they would not be allowed to hold the festival this year.

Mr. Stephens said both New Brunswick Scientific and the municipal lot have been used for VIP Parking. He said the municipal complex can be used, but New Brunswick Scientific was sold and he is not sure about that location.

Councilmember Dr. Prasad asked when they received the first letter from Revlon.

Mr. Kemm said both property owners issued letters that stated they will not be allowed to use the parking lot.

Councilmember Dr. Prasad said that nothing was done in four months to take action on this application.

Mr. Kemm said action was not taken because they were advised last year that a permit would not be issued for this year.

Councilmember Dr. Prasad said the bottom line is that the event went well and he asked why they would advise anyone that they could not do it this year.

Mr. Kemm said the basis was that various Departments had substantial problems with the way it was run in 2009. They were advised to deny it last year but this loosened up when extra safety conditions were provided. He explained they were given deadline after deadline which they did not meet.

Councilmember Dr. Prasad felt it was outrageous to use words like "thank goodness no one was killed". He said there were no incidents of any kind. He said the Administration did not do anything about the current application for four months.

Mr. Kemm said the application was incomplete and could have been rejected on this alone.

Council President Diehl said both sides have presented their views on the permit. The main concern is parking. It was stated by all sides that the 2010 festival went more smoothly than the 2009 festival. The problem seems to be the 1,000 parking spaces they had last year that are not available this year. He asked the organizers if they are willing to comply with the regulations surrounding the festival.

Mr. Prasad said "yes".

Council President Diehl said if they are willing to comply with all regulations, he is asking the organizers to come back in four weeks with a plan for parking. The Council would then be more receptive to the idea of the festival as parking is a legitimate concern. He is in favor of the festival.

Mr. Kemm said what is required under the Ordinance are certified copies of contracts for parking spaces. The other issue is the fees for the Township's costs. He said the Township is not in the position of funding private events.

Council President Diehl asked the Administration and the attorney to work with the organizers to help them understand what they need to do. If they come back in four weeks and no one has reached out to them, there is a problem.

Mr. Kemm said his letter outlines exactly what needs to be done.

Council President Diehl said around 7,000 people will attend this event. He felt if the Township sponsored an event, they would put their best foot forward. In the spirit of cooperation, he asked them to work together and asked the organizers to come back to the Council in four weeks.

Councilmember Karabinchak said he listened to a lot of information. He was at the Dushara Festival for about six hours last year. He knows the requirements that were laid out. He felt, after seeing the conclusion of the festival, that the amount of Police Officers during the day should be restructured. He said all the port o potties that were required were not used. He said most of the crowd came in at night. He said the only thing he heard that was deficient was the cleaning of the parking lots. He was surprised that the language used was that they were unusable. He urged the Dushara organizers to talk to the people from Edison Square and Revlon again. He suggested hiring someone to clean up the parking lots by 6 a.m. He offered them his assistance in contacting Revlon.

Council President Diehl felt Councilmember Karabinchak brought up a good point about the parking lots being unusable. He asked what it was that made them unusable. He said he has been at Giants stadium and there is nothing left in the parking lot that keeps them from being used. He asked the hours of the festival.

Mr. Prasad said 1 p.m. to 9 p.m.

Lt. Filannino said the Police coverage was structured to be more available at night rather than during the day.

Council President Diehl proposed that they come back next meeting with more specifics on where to park cars.

Councilmember Dr. Prasad felt the suggestions made were appropriate. He said there is a comparable event that occurs which is the Edison Fall Festival where alcohol is served. The Dushara festival does not serve alcohol. He said the organizers will come back and will have cooperated and there will be a well run and well attended event.

Council President Diehl said the requirements of the Township need not be excessive.

On a motion made by Councilmember Prasad, seconded by Councilmember Mascola, the meeting was adjourned at 6:32 p.m.

Robert Diehl
Council President

Reina A. Murphy, RMC
Municipal Clerk