

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
OCTOBER 24, 2011**

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 6:01 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lankey and Mascola.  
Councilmember Perilstein entered at 6:06 p.m.  
Councilmember Prasad entered at 6:17 p.m.

Also present were Township Clerk Murphy, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Acting Finance Director Pollex, Recreation Director Halliwell, Public Works Director Roderman, Health Director Elliott, Township Engineer Medina, Deputy Fire Chief Latham, Police Captain Kelly 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 6, 2011, 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.

Joe DeMeo, 65 Wooding Avenue, said he read an article in the Sentinel by Ralph Bucci and he asked if the Council had any comments.

Councilmember Lankey explained the way the tax bills were laid out. He discussed the ratables. He noted that the taxes were going to remain flat but he believed that the drop in valuation was included in the calculation. However, this was not the case. As the Finance Committee moves forward, they will ask for a draft calculation before the bills go out.

Mr. DeMeo asked about the leaf bag program.

Ms. Ruane said everything stands the same as it did last week.

Council President Diehl asked if they explored the possibility of purchasing fewer bags.

Ms. Ruane said not for this calendar year.

Council President Diehl thought they were going to look into this.

Mr. Roderman said when he spoke at the last meeting he said this would have to be put off into the next season as the opportunity for cooperative purchasing of the bags has since passed.

Council President Diehl said he would have liked information sent to him explaining why this cannot be done.

Mr. Roderman said the program remains the same as far as collection.

Council President Diehl asked for a lighter version of the program. He felt bags purchased at a retailer may be less expensive than what the Township was paying for them. He said he thought employees were not needed to hand them out and suggested maybe giving out five instead of ten. He again asked the Administration to explore some type of leaf bag program for the Township. He asked about the vacuum trucks.

Mr. Roderman said we do not have a vacuum program as it would be impractical in a town this size.

Council President Diehl said a lot of residents are concerned about this.

Councilmember Perilstein asked the money saved as a result of getting rid of the program

Mr. Roderman said the money was reallocated to other services. He said the money was rolled over into the recycling division.

Councilmember Perilstein asked if this was his recommendation.

Mr. Roderman said this was a collaborative conversation.

Councilmember Perilstein said what was concerning to her was that there was no open dialogue or solicitation from the public or the Council regarding such a significant service provided to the community. She felt it is important when rolling out a policy to obtain comments from the Council. She felt there could have been better communication on this.

Council President Diehl said the Council is constantly caught off guard with new initiatives or changes in policy. He said the Council has to defend the position of the Administration in a public forum.

Councilmember Mascola asked when this decision was made.

Mr. Roderman said he did not have an exact date but he will obtain this.

Councilmember Mascola said the Administration knew about this two to three months ago and they still came back with a 2% raise for non union employees. He wanted to ask Mr. Stephens a question. He said even though he is sitting in the audience he is still getting paid by the taxpayers and is a person in charge of making decisions.

Councilmember Perilstein asked whose decision it was not to have Mr. Stephens at the table. She said the biggest questions are about things that occurred before Ms. Ruane and Mr. Pollex came on board. There is still a question as to who initiated the raises and there are issues with the budget. She said Mr. Stephens was the Acting Business Administrator and now he conveniently chooses to sit in the audience as a public citizen. She said the Council has asked the Mayor three times to attend a closed session and the last request she did not even reply to. She asked if this is the Administration's way of serving the residents and found it inconceivable that she does not respond to a request or attend a closed session. She felt this is abuse of power.

Council President Diehl said Mr. Stephens is the Management Specialist and he can answer the questions publicly.

In response to Councilmember Perilstein's questions, Council President Diehl said this should be a personnel issue discussed in closed session.

Councilmember Mascola asked Mr. Kemm if Mr. Stephens can play both sides of the coin.

Mr. Kemm said he did not know Mr. Stephens' work hours and does not know in what capacity he is sitting in the audience.

Councilmember Mascola said Mr. Stephens has been answering questions for the Administration the entire time except for the last two meetings.

Council President Diehl said they do not need the Mayor to attend a closed session to make decisions as a Council. They do not need Mr. Stephens in closed session to make decisions as a Council. He suggested they meet in closed session and make their own decisions. If the Administration chooses not to be part of the discussion, so be it.

Jill Schedin, 8 Dayton Drive, said during the middle of the night, there are loud noises coming from the crawl space below her bedroom window. This happens between midnight and six in the morning. She said she contacted her complex but they have not responded. She was concerned with the heat being overwhelming in her apartment and feels there is something wrong with the boiler.

Mr. Elliot said he will look into this.

Ms. Shedid said she called and made a complaint about smelling smoke and said the Firefighters were doing something when she called them.

David Wheeler asked about the meeting schedule for next Thursday night.

Councilmember Karabinchak said this is going to be a hearing. The applicant will present their case and anyone opposed will present their case. It will be handled similar to a Zoning Board appeal hearing. No decisions will be made that night.

Mr. Kemm said this is just a hearing to make comments on the application.

Mr. Wheeler wanted to summarize his position.

Mr. Kemm said this will not be part of the record.

Mr. Wheeler said he has had a few calls from residents in the area that are concerned with the flooding and the traffic in the area. He felt it is crucial that the Council takes these concerns seriously next Thursday. The Township has a right not to give away the parkland.

Ellen Rosen said open space should be protected because Edison is very crowded and she is concerned that a piece of property will be given to a developer. She said the land was given to the State forever.

Jill Weislo, 206 Tyler Road, said on behalf of Edison Wetlands, she is inviting the public to their annual Friends of the Dismal Swamp meeting. They also just launched a new website for Edison Wetlands.

Dana Patterson, Edison Wetlands, 206 Tyler Road, invited the Council to a meeting regarding toxic issues on the Chevron property. They bought a portion of the Abramson property, which is located in Edison.

Councilmember Karabinchak asked to receive any documentation that is given out at that meeting.

Ernest Docs, Metuchen, had concerns about the Revlon site. He said this has been contaminated since 1984. He has written emails to several members of the Council and the Mayor and received no response.

Councilmember Mascola said he received something today.

Mr. Docs said signs about contamination were missing and he brought documents personally to the Mayor's office.

Council President Diehl said he will follow up.

Burton Gimelstob, 6 Churchill Road, believed that the Finance Committee told the absolute truth about the budget. He spoke about the letter written to the Sentinel and felt this contained inaccuracies. He asked if he can ask Mr. Stephens a question. He asked if Mr. Stephens was part of the meeting with Mr. Rodman when they decided to cut out the leaf bags.

Mr. Stephens said Mr. Roderman said this decision was made over the course of many meetings. He said he was in meetings where this was discussed.

Mr. Gimelstob asked who was at the last meeting when they decided to cut out the leaf bags.

Mr. Roderman was asked if Mr. Stephens was at most of the meetings regarding the leaf bags and he said these decisions are dealt with at staff meetings.

Mr. Gimelstob asked about an OPRA request to the Business Administrator about the 2% raise.

Ms. Ruane said the OPRA request will be available tomorrow.

Mr. Gimelstob asked if Mr. Stephens signed off on the 2% raise and Ms. Ruane said "yes".

Councilmember Dr. Prasad asked Ms. Ruane if, as Business Administrator, she has authority over Mr. Stephens to ask him to sit at the Directors' table.

Ms. Ruane said if the Council asks him to attend the meetings she will forward this request to the Mayor.

Council President Diehl said they have asked the Mayor three times to meet with the Council and she declined. They need to meet on certain personnel issues but at this point they do not need the Mayor to be there and he would rather not continue this conversation.

Walt Shneer, Park Way, said a Green Acres sign was put up instead of a No Dumping penalty sign. He asked the difference between Open Space and Green Acres.

Mr. Kemm said the terms are used interchangeably. If property is Green Acres, then Green Acres gave the Township money to purchase it. If this property is put on the Open Space inventory, it is also Green Acres. Open space is a general term used to indicate that the property is not developed.

Mr. Shneer asked why we have to vote on the Open Space tax.

Mr. Kemm said this is a funding mechanism to purchase the property.

Mr. Shneer asked about the vacuum truck.

Council President Diehl said this is a truck with a large vacuum hose to suck the leaves from the gutter. The Township went to leaf bag collection as they thought this would be more efficient.

Mr. Shneer asked how many sweepers there are in the Township.

Ms. Ruane said four.

Mr. Shneer asked how to get a sweeper in the neighborhood.

Council President Diehl said this is done on a rotating route.

Mr. Shneer said they only swept his area once last year. He was concerned with the leaves covering the sewers.

Mr. Roderman said they try to keep up with this and sweep the denser areas more often.

Council President Diehl asked if we will have a bigger problem with the storm sewers because of the leaf bag situation.

Mr. Roderman said Mr. Shneer's street was swept more than once last year but if the street is swept tomorrow, there will still be leaves falling.

Council President Diehl asked if it is possible to let Mr. Shneer know when the sweeper was in his area.

Lois Wolke, 10 Peake Road, discussed the leaf bags. She commended Mr. Roderman as head of Public Works for not having the leaf bag program and felt it was prudent in this tight budget. She said the problem with these programs is that once they are implemented it is very difficult to take them away. She asked if Mr. Morris is connected with Revlon.

Councilmember Karabinchak said this is not Jack Morris.

Ms. Wolke asked if the Ordinance on massage parlors was adopted. She asked the time frame for the establishments to conform.

Mr. Elliott said every facility was notified of the Ordinance change. He said the Township is out of the business of licensing the individual therapists.

Ms. Wolke asked if the visits will be unannounced.

Mr. Elliot said they always were. This part of the Ordinance was not changed.

Council President Diehl disagreed that too much time was spent speaking about leaf bag collection. He said there are residents who do not normally get involved who are concerned about their services. This is one service that a lot of people were used to. He said the Council has to answer to the residents. He felt this was not a political discussion and this was a breakdown in communication between the Council and the Administration.

Ms. Wolke asked what was done before the leaf bag program.

Mr. Roderman said we used a vacuum truck or burned them.

Rich Sweeney, Suttons Lane, said he has a 93 year old neighbor and has always picked up her bags. He said she cannot get to Home Depot and he felt there should be an exception to the rules for senior citizens.

Council President Diehl asked to make this available to the seniors next year.

Mr. Sweeney asked how many sweepers there are in the Township. He also spoke about the massage establishments located behind schools.

Esther Nemitz, 162B Fay Street, said this is the last Sunday for the Farmers Market. She watched the replay of the recipe contest on Edison television and she wished everyone a Happy Diwali on Wednesday.

Burton Gimelstob, 6 Churchill Road, asked Councilmember Karabinchak if a transit village was ever approved.

Councilmember Karabinchak said nothing was ever approved.

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

5. **APPROVAL OF MINUTES**
  - a. through c. No comments

6. **ADMINISTRATIVE AGENDA:  
FROM MAYOR ANTONIA RICIGLIANO:**
  - a. Councilmember Perilstein asked how long he has served on the Housing Authority.

Ms. Ruane said she will find out.

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

None

**8. POINTS OF LIGHT**

None

**9. FROM THE BUSINESS ADMINISTRATOR:**

a. Councilmember Mascola said the person awarded the bid has exceptions and he asked what they were.

Ms. Ruane said she will have this for Wednesday.

b. Councilmember Mascola asked what department the car belongs to.

Mr. Medina said this is one of the cars loaned to the Police Department during the hurricane.

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

a. through d. No comments were made.

e. Councilmember Lankey asked Mr. Pollex about his disagreement with one of the comments and asked if he talked to Mr. Morrison about the disagreement.

Mr. Pollex said he did not discuss this with Mr. Morrison but discussed it with his staff at which time they indicated they would remove it.

Councilmember Lankey asked if Mr. Pollex asked him why he changed his mind about removing this comment.

f. No comment was made.

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

a. Council President Diehl asked for an explanation.

Mr. Medina explained the current ordinance and said this amendment is for no parking on Kilmer Road at all.

Council President Diehl asked where the vehicles will end up if we do not allow any parking.

Mr. Medina said the first priority is to institute the no parking and then we can amend it later on.

b. No comment was made.

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

a. No comment was made.

b. Councilmember Perilstein asked about the service.

Ms. Halliwell said Catholic Charities is now administered by the State. The State contracted with a company to provide absenteeism reports. We have to provide equipment when there are more than six children receiving financial assistance.

**13. FROM THE TOWNSHIP CLERK:**

a. The Township Clerk explained the liquor license renewal.

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

Councilmember Karabinchak explained the cases before the Board including the Redevelopment of the Revlon site and the recommendations for the zone changes as per Hank Bignell. He said this document will be on the agenda for this Wednesday.

Councilmember Perilstein asked if this was in their packet.

Councilmember Karabinchak said he just received a copy today and a few things need to be reviewed.

Councilmember Perilstein asked the sense of urgency for having this on for Wednesday as she does not like to put something on that has not been reviewed.

Council President Diehl said putting this on for Wednesday would be rushing it unless there is a need. He does not want to put it on for Wednesday unless the Council agrees.

Councilmember Karabinchak said this is mirroring the master plan and it would be for introduction on Wednesday.

Council President Diehl said there is a sense that the Council wants a little time to look this over and digest it.

The Councilmembers agreed.

**15. COMMUNICATIONS:**

None

**16. DISCUSSION ITEMS:**

**Council President Diehl:**

- a. Council President Diehl thanked Captain Kelly for helping Mr. Diamond with the traffic calming device on Calvert Avenue. The position is a lot better now.

**Councilmember Gomez:**

- a. Councilmember Gomez asked for the detail on the encumbered amounts per Department.

Ms. Ruane said it was forwarded. She came up with a format for each Department head to fill out.

- b. Councilmember Gomez asked for a copy of the strategic plan.

Ms. Ruane said she provided a five year budget plan to the Council that was done in 2007 or 2008.

Councilmember Gomez thought there would be one for the budget this year.

Mr. Stephens said he was told they will continue on with this plan.

Councilmember Gomez said they were promised there was a plan in place to support all the decisions made in the last year. He said the revenue and growth initiatives should be in the plan.

**Councilmember Karabinchak:**

- a. Councilmember Karabinchak said this is not going away and was one of the biggest factors involved in the tax rate. Every year the burden shifts to the homeowners and we need to get the legislation changed.

- b. through e. No comments were made.

- f. Councilmember Karabinchak asked for a Resolution to be added for the rejection of bids on the solar roof. Without a construction management company watching this, he felt it would be futile to put in a system without someone overseeing them. We are rejecting the bids because they are over budget.

**Councilmember Lankey:**

- a. Councilmember Lankey thanked Ms. Ruane for the information on the school bond and asked if \$1,095,000 was just principle.

Ms. Ruane said it is both.

Councilmember Lankey felt this number was different in the budget and he wants to see the historical documents of this and how this got into the tax rate calculation.

**Councilmember Mascola:**

- a. Councilmember Mascola asked about the summary budget status and when this was updated.

Mr. Pollex said they will be updated after the bill list is concluded.

Councilmember Mascola said it shows we only paid \$54,000 to the legal department.

Mr. Pollex said he will provide this update at every meeting.

Councilmember Mascola asked him to include the date that the posting are up to.

Councilmember Gomez said the year to date for legal is only \$75,000.

Mr. Pollex said he will check this.

Councilmember Lankey asked about the school bond principal on the report and felt this may not have been included with the interest.

**Councilmember Perilstein:**

- a. Councilmember Perilstein spoke about transfers and what they can anticipate from the Administration.

Mr. Pollex said he was working on a template today and will try to give account numbers. At the end of the week we will have completed the payroll for October and he will then prepare a draft transfer Resolution for next week.

Councilmember Perilstein asked if he can show if it is from overtime or if it is due to increases.

Mr. Pollex said he will try to do this and has already done something like this for the Finance Committee.

Councilmember Lankey said they are waiting for the completion of the report and for a lot more of the narrative of what was assumed in the original budget. They are looking to go back to whoever developed the budget and the answers are not there.

Councilmember Perilstein said she is looking for detail.

Councilmember Gomez said he wants to find out the original assumptions for overtime that were built into the budget.

**Councilmember Prasad:**

- a. Councilmember Dr. Prasad asked Captain Kelly about the executive order issued by the Mayor regarding the policy change.

Captain Kelly said he was aware of this.

- b. Councilmember Dr. Prasad said the Council had a lot of discussion about Cablevision but have not heard anything back from the BPU. He asked if we can continue the negotiations with Cablevision.
- c. Councilmember Dr. Prasad wished everyone a Happy Diwali.

**17. CLOSED SESSION:**

Closed Session was not held.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, with all in favor, the meeting was adjourned at 7:50 p.m.

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Robert Diehl  
Council President

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Reina A. Murphy, RMC  
Municipal Clerk