

NORTH BRUNSWICK TOWNSHIP
MINUTES....

REGULAR MEETING
September 8, 2009

A regular meeting of the North Brunswick Township Council was held on Tuesday, September 8, 2009 at 7:05 P.M. in the Municipal Complex located at 710 Hermann Road, North Brunswick, Middlesex County, New Jersey.

Mayor Womack called the meeting to order.

Roll call:

Present: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Andrews

Absent: Mayor Womack and Mr. Corbin

Also present: Business Administrator, Robert Lombard, Township Attorney, Ronald Gordon, Asst. Business Administrator, Justine Progebin, Chief Financial Officer, Kala Sriranganathan, Director of Parks, Recreation and Community Services, Lou Ann Benson, Director of Community Development, Michael Hritz, Director of Public Works, Glenn Sandor, Municipal Clerk, Lisa Russo and Deputy Clerk, Milvi Weiner.

Council President Andrews asked everyone if they would turn off their cell phones during the meeting and informed residents there are now devices for the hearing impaired available in the cable studio.

Ms. Russo announced that the notice requirements of the law have been satisfied. Notices were sent by certified mail on January 2, 2009 to the following:

a) The Home News & Tribune b) Star Ledger c) North Brunswick Sentinel

Notice receipts are on file in the Township Clerk's office. Also, notices were posted on the bulletin board in the Municipal Complex and filed in the Clerk's office on January 2, 2009.

Members of The 2009 Rapids Swim Team led the assembly in the Pledge of Allegiance.

Proclamations:

"Scholar /Athlete / Artist for August 2009" – Councilman Socio presented a proclamation to Richard Y. Ebright, a high-honor roll student, a member of the National Honor Society and Hispanic Honor Society at the N.B.T.H.S. He has 4.6 grade point average, perfect SAT math, reading and writing scores, perfect SAT subject-test scores in math, chemistry and history and perfect AP test scores in Calculus, Chemistry, Biology, Microeconomics, Macroeconomics, History and English. Richard is performing research internships in Molecular Biology at Rutgers and in Nanotechnology at Colombia in 2009. He plans to attend college and major in chemistry with the goal of becoming a research chemist.

Mayor Womack arrives to the dais at 7:09 pm.

"2009 Rapid's Swim Team" – Council President Andrews presented a proclamation to Coach Elizabeth Yarus, Recreation Specialist and member of The 2009 Rapids Swim Team. They had a season record of 9 wins and 1 loss during their regular meet season. Members range in ages of 7 to 18 years old in combination of boys and girls swimming in individual events as well as relay races. Championships were conducted on August at the N.B.T.H.S. pool and the Rapids Swim Team placed first. Their philosophy is that every swimmer is an important team member and their individual accomplishments contribute to the overall success throughout the summer. Coach Liz Yarus stated that if it was not for the parents contributions they would not be able to run the program.

Break for Proclamation Recipients: 7:18 pm

Resume: 7:26 pm

Mayor Womack asked council members if any items are to be removed from the Consent Agenda. Motion made by Mr. Davis to approve items "7a – 7x", second by Mr. Socio.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Andrews
Nays: none
Absent: Mr. Corbin

Consent Agenda:

- a. N.J. State Fireman's Application / Christopher Gaffney / Fire Co. #2
- b. Authorizing the redemption of various third party liens 252-9.09
- c. Authorizing the cancellation of taxes for a 100% disabled veteran 253-9.09
- d. Authorizing submission and acceptance of the Municipal Alliance Grant 2010 254-9.09
- e. Establishing Department of Parks, Recreation and Community Services Program fees for 2009-2010 255-9.09
- f. Authorizing a Block Party and Road Closing on Sutter Avenue 256-9.09
- g. Authorizing Award of a State Contract to Procomm Systems, Inc. for Public Safety Watch Commanders Office Upgrades 257-9.09
- h. Authorizing the advertisement for Receipt of Bids under the Department of Public Works for three Mason Trucks and one Utility Pickup Truck 258-
- 9.09 i. Authorizing re-advertisement for Receipt of BID09012 for replacement parts for automated refuse truck bodies 259-9.09
- j. Authorizing Award of Contract RFQ09001 for Manhole Protective Coatings to Tri-State Grouting, LLC 260-
- 9.09 k. Authorizing the North Brunswick Heritage Day Committee to conduct a Fireworks Display 261-9.09
- l. Awarding an adjustment for township residents 262-9.09
- m. Resolution of concurrence by the Township Council of the Township of North Brunswick designating bus stops on Route 27 and Route 1 263-9.09
- n. Authorizing an Emergency Contract with J. Fletcher Creamer and Son, Inc. for sewer main replacement repairs - \$84,273.70 264-
- 9.09 o. Authorizing the refund of Non-Residential Development Fees to the following pursuant to N.J.S.A. 40:55D-8.6:
 - 1. Absolute Property Management, LLC 265-
 - 9.09 2. Valley National Bank, 1100 Livingston Avenue 266-9.09
- p. Opposing the proposed plan of the United States Postal Service for consolidation of the Mail Sorting Operations currently performed at the Kilmer P&DC Facility in Edison, New Jersey 267-9.09
- q. Authorizing the Person to Person and Place to Place Transfer of Plenary Retail Consumption Liquor License No. 1215-33-011-005 to AntSul-BWWI, LLC 268-9.09
- r. Authoring the execution of a Shared Services Agreement between the Township of North Brunswick and the North Brunswick Public Library 269-9.09
- s. Authorizing an agreement with Standard Insurance Company as an E.U.S. 270-9.09
- t. Establishing a Mediation Team for the mediation of objections to the Township's petition for Substantive Certification to the Council on Affordable Housing 271-9.09
- u. Authorizing an amendment to the Professional Service Agreement with the following:
 - 1. Kleifelder for Environmental Interior Sampling 272-9.09
 - 2. Hoagland, Longo, Moran, Dunst & Doukas, LLP to provide Environmental Legal Services 273-9.09
- v. Authorizing a Change in Scope with CME Associates, appointed as the 2009 Township Consulting Engineers, for the following:
 - 1. Professional Services associated with the Farrington Wastewater Pump Station Reconstruction Project 274-9.09
 - 2. Professional Services associated with the NJDOT Route 130 South Resurfacing Project 275-9.09
- w. Authorizing a Settlement Agreement between the Township of North Brunswick and K-Land No. 54, L.L.C. under Docket Numbers A-1950-07T3 and L-6359-07 276-9.09
- x. Payment of Bills 277-9.09

Mayor Womack called for a motion to approve item # 8 on the Agenda. Approval of minutes: Regular Council Meeting / August 3, 2009. So moved by Mr. Andrews, second by Mrs. Lyles.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Socio and Andrews
Absent: Mr. Corbin
Abstain: Mr. Davis

Ordinance / Second Reading / Public Hearing:

#09-15 – An Ordinance amending and supplementing Chapter 205 “Land Use”, Article XXIV, “Off-Street Parking and Loading”, Section 205-99, “Off Street Parking for Residential Districts” of the Code of the Township of North Brunswick

Mr. Gordon explained that this ordinance was a follow-up to a ordinance that was passed earlier this year – issues addressed – insured commercial vehicles parked in residential districts.

Mayor Womack opened the public hearing on Ordinance #09-15.

Mr. Donato – questioned the change in the new ordinance - omitted wreckers and tow trucks.

Motion made by Ms. Nicola, second by Mr. Socio that the public hearing be closed.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

Mayor Womack called for a motion to adopt Ordinance # 09-15. So moved by Mr. Socio, second by Ms. Nicola, Ordinance No. 09-15 approved on second and final reading and referred to the Mayor for his action and then published in the September 11, 2009 issue of the Home News and Tribune.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

#09-16 - Bond Ordinance providing for Capital Improvements for and by the Township of North Brunswick, in the County of Middlesex, New Jersey, appropriating the aggregate amount of \$3,500,000 therefor and authorizing the issuance of \$3,325,000 in Bonds or Notes to the Township to finance part of the cost thereof

Mr. Lombard explained that this was an annual process – long term – maintaining buildings, vehicles and road improvements.

Mayor Womack opened the public hearing on Ordinance #09-16. No comments from the public.

Motion made by Mr. Socio, second by Mr. Andrews that the public hearing be closed.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

Mayor Womack called for a motion to adopt Ordinance # 09-16. So moved by Mr. Socio, second by Mr. Davis, Ordinance No. 09-16 approved on second and final reading and referred to the Mayor for his action and then published in the September 11, 2009 issue of the Home News and Tribune.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

#09-17 - Bond Ordinance providing for improvements of the Sewer Distribution System in and by the Township of North Brunswick, in the County of Middlesex, New Jersey, appropriating \$1,200,000 therefor and authorizing the issuance of \$1,200,000 bonds or notes of the Township for financing the cost thereof

Mr. Lombard explained that this was a companion ordinance – sewer collection – address underground sewer drains – resurfacing of roads – annual sewer revenue.

Mayor Womack opened the public hearing on Ordinance #09-17. No comments from the public.

Motion made by Mr. Socio, second by Mr. Davis that the public hearing be closed.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

Mayor Womack called for a motion to adopt Ordinance # 09-17. So moved by Mr. Socio, second by Mr. Davis, Ordinance No. 09-17 approved on second and final reading and referred to the Mayor for his action and then published in the September 11, 2009 issue of the Home News and Tribune.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews

Absent: Mr. Corbin

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Ordinance / First Reading / Introduction:

#09-18 – An Ordinance creating and establishing a new Chapter 196, “Hotels and Multi-Family Housing” of the Code of the Township of North Brunswick

Mayor Womack called for a motion to introduce Ordinance No. 09-18. So moved by Mrs. Lyles, second by Mr. Davis, second reading and public hearing to be held at a regular meeting on September 21, 2009 at 7:00 P.M. in the Municipal Complex, 710 Hermann Road, North Brunswick, Middlesex County, New Jersey following legal publication in the September 11, 2009 issue of the Home News and Tribune as according to law. This Ordinance is posted in the Municipal Complex and copies are available upon request.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Davis, Socio and Mr. Andrews
Absent: Mr. Corbin

Reports from Mayor, Council, Administrator

~Summary of Bids – (see attachment)

Mr. Socio- addressed the workers from the postal service in the audience and advised them that the Mayor and Governing Body did approve a resolution on the Consent Agenda opposing the closing of the Joyce Kilmer sorting location. He reminded resident that Heritage Day will be held on September starting at 12 noon at Babbage park and then moving to the high school at 7:00 pm for a concert and fireworks.

Mr. Davis – reminded residents that on September – (year anniversary of the 9/11 Tragedy) – a ceremony will be held across the street at 7:00 pm – streets will be closed at 6:30 pm – in the event of rain the ceremony will be held at Linwood Middle School. He warned residents, especially seniors of e-mail scams asking for money. These e-mails are coming from Iraq - the military US Army CSE advised people that these e-mails were not connected to the military.

Ms. Nicola – reported to the residents that the Middlesex County Public Health Department will be administering flu shots on September at the Senior Center at 15 Linwood Place – to make an appointment for the Pneumococcal shot call 732-745-3100. She reminded residents that on October the North Brunswick Humane Association will be holding their Annual Dog Walk-a-Thon at the North Brunswick Community Park – registration forms are at the front desk and the DPRCS Office.

Mayor Womack opened the Public Hearing at 7:47 pm.

Mr. Luczu –has lived at 12 Linwood Place for the past 60 years – thanked the township for getting rid of the pigeons and their dropping. * Linwood Place – still a mess – rooming house? – told to clean it up – brush cut – left out for 2 ½ weeks – jungle in the back – dead cherry tree – what looks like grass is really ivy – poison ivy under fence. Summons to clean it up – nothing happening. He is aggravated with residents that should keep their homes clean– neighborhood going down hill.

3 Linwood Place – more than one family living there – 5 Linwood Place – eyesore – empty lot. Speeding on Linwood Place (Latino taxis) – use of speed trailer on street.

Mr. Rickards – agreed with Councilman Davis on the e-mail scams going on. Questioned why police officers were being removed from schools – no full time officer on duty - police on patrol do not make it a safe situation in schools – gang problems – takes longer to call 911 instead of having full time police officers at schools.

Ms. Weiss – representative from the postal service – glad the township did the resolution opposing the closing of the Joyce Kilmer Office which would affect over 100 employees. She agreed with Councilman Davis about the money scams – Nigerian money order scam – victim is usually not the criminal.

Mr. Nastus – Code Enforcement issues – 3 Linwood Place – inspected 3-4 years ago – 6 adults – kids go to school – dogs killed. 8 Linwood Place – tenant house – rents to college students – shrubbery not pruned – owner lives in Yardley, PA.) 5 Linwood Place – clean up – tied up with insurance company. 27 Ashwood Place – overcrowding. Where is the Jack’s Furniture billboard being stored now? Blocking street violation issued – billboard removed on 8/26/2009. Parking tickets issued between 8/3/2009 – 8/26/2009? Squindo / Toscani – 2 businesses at one address (Georges Road) – storage of masonry equipment in the back. Is car repair allowed to take place on the sidewalk? Chestnut Street – boat in front of #5 – Toscani truck.

Ms. Chyb – Thanks and appreciation for the “Tea Party” held at Veteran’s Park on September . Park Ranger – Tom Lettieri was wonderful and the Parks & Recreation crew did a great job. Concerned with a federal marshal’s raid that occurred at 4:30 am at a house in the area – Waksman Place and Cranbury Cross Road – what happened there?

Footnote: Mr. Rickards – presence of police in schools – is there a police officer in the North Brunswick Public Library?

Mr. Nastus – site triangle – Glenridge Avenue & Linwood Place – still unsafe. Woodland Avenue & Hedges – main problem is still there. Clothing bins – illegal in gas stations? Clothing bin behind Steve’s Place by dumpster. Sate Law – illegal at gas stations – need ordinance for clothing bins. Graffiti on temporary fence - Livingston Avenue Hardware Store – graffiti on side of building. Railroad – bridge – graffiti – county inmates to paint? – safety issue– who dropped the ball? – bridge – US Gas – state project? – Vitelli trucking & garbage? - 914 Patton Street – 757

Wood Avenue – ½ dozen cars parked in the backyard – summons in January – compliance by February – cars are still there under covers – follow-up - 3 Edgewood Place – shrubbery – January – compliance. Mr. Nastus presented signs in a garbage bag – adult soccer – dates missing – garage sale signs taken off telephone poles.

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Mr. Donato – questioned the date election signs can be put out – 40 days before an election. Mr. Hritz replied that legally the signs should be put out September – letter being sent out to local political chairmen.

Mr. Lewis – paving at Riverbend Drive – not finished from Lincoln Place to Rte. 27 – plans to look at it again – patch work – no re-surfacing – pot holes – Kennedy Park – permits needed to play there? – needs to be enforced after dusk.

Mr. Nastus – Berdines Corner – needs attention – drive by shooting – Lee Avenue & Stevens Street – police altercation – Stevens Street – stabbing – cars parked all over.

Ms. Nicola – ended the meeting with something positive – received two phone calls from residents stating how courteous and comfortable the residents felt talking on the phone with employees, Mary Wells and Bob Weeks from Community Development.

Mayor Womack called for a motion to adjourn the Public Hearing. So moved by Mr. Socio, second by Mr. Davis.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Socio and Andrews
Absent: Mr. Corbin

Mayor Womack called for a motion to adjourn the Public Hearing. So moved by Mr. Socio, second by Mr. Davis.

Roll Call: Ayes: Ms. Nicola, Mrs. Lyles, Messrs. Socio and Andrews
Absent: Mr. Corbin

Adjourn – 8:59 P.M.

Lisa Russo
Municipal Clerk

