

**EAST BRUNSWICK TOWNSHIP  
COUNCIL AGENDA\ACTION MEETING  
June 28, 2021**

1 Jean Walling Civic Center  
East Brunswick, New Jersey 08816

7:30 P.M.

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*\*All agendas\attachments are available on the Website: [www.EastBrunswick.org](http://www.EastBrunswick.org) at section Government.*

1. Council President Sullivan called the meeting to order. After a Pledge of Allegiance and a Moment of Silence, the Clerk called the roll:

Present: Councilman Behal, Councilman McEvoy, Councilman Spadafino  
Councilman Wendell, Council President Sullivan

Also Present: May Brad Cohen; Michael Baker, Township Attorney  
Joseph Criscuolo, Administrator; Nennette Perry, Township Clerk

2. Statement of Notice of Publication:

The Clerk read the following statement:

At a previous Council meeting, the meeting was disrupted by several callers zoom bombing and shouting out racial and religious slurs in an effort to disrupt the meeting.

Be advised that any future attempts to disrupt an East Brunswick Council meeting will be considered harassment and your IP address or Phone number will be turned over to the East Brunswick Police Department and you will be prosecuted to the fullest extent of the law.

Adequate notice of this meeting has been provided by specifying time, date, location and to the extent known, the agenda by posting a copy on the Bulletin Board located in the main lobby of the East Brunswick Municipal Building, providing a copy to the Home News Tribune and Sentinel newspapers, posting a copy on the Township's website and by a filing a copy in the office of the Township Clerk which will be entered in the minutes.

The Township is using the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Township's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers. The Dial in Information and Final Agenda have been posted on the Township website and are posted on EBTv for members of the public.

In order to make sure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public will be muted during the meeting. If a member of the public wishes to speak during any public comment portion, please press \*9 (star nine) in order to raise your hand to speak. We will unmute members of the public individually if they have their hand raised. When it is your turn to speak, you will hear a notification that you have been unmuted. It is at that time that you should begin to ask any questions you may have. You will have three minutes to speak, at the conclusion of which you will be muted again, and the council or administration will respond as necessary. Should you have any further comments or questions, the Township Council is always available by email and phone, and you can always call the Mayor's office during normal operating hours. Each member of the public shall only have one opportunity to speak during each public portion. As the technology does not allow us to know if there are multiple callers on an individual line, we ask that if you wish to speak, that you dial in on a separate line so that we can recognize you as a separate individual.

Thank you in advance for your patience as we as we implement this new technology to continue to move the Township forward during this Health Emergency.

3. Presentations, Proclamations and Discussions:

None

4. Agenda Session: (Discussion Only – No Vote)

None

5. Public Hearing:

Council President Sullivan read the following ordinance:

- A. Ord. 21-14 Providing for Various School Capital Improvements in and by the Township of East Brunswick, in the County of Middlesex, New Jersey, Pursuant to a Shared Services Agreement, with the East Brunswick Board of Education, Appropriating \$4,421,053 Therefor and Authorizing the Issuance of \$4,200,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Councilman Spadafino moved that the ordinance be adopted on second and final reading, that it be submitted to the Mayor for his approval and thereafter published according to law. Councilman Wendell seconded the motion. Council President Sullivan opened the meeting to the public for discussion. There being no discussion, the public portion was closed. Councilman McEvoy asked about how the Board of Education is spending the money. Mr. Baker indicated that the town has a better bond rating and therefore, taxpayers save money. There being no further discussion from the Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes, and the ordinance was adopted on second reading.

Council President Sullivan read the following ordinance:

- B. Ord. 21-16 Prohibiting the Operation of any Class of Cannabis Businesses within the Township of East Brunswick's Geographical Boundaries and Amending Chapter 228, Zoning, Section 3, Definitions and Word Usage and Section 229.4, Prohibited Uses, of the Revised General Ordinances of the Township of East Brunswick

Councilman McEvoy moved that the ordinance be adopted on second and final reading, that it be submitted to the Mayor for his approval and thereafter published according to law. Councilman Behal seconded the motion. Council President Sullivan indicated that after review by the Planning Board, the ordinance needs to be amended. Mr. Baker indicated the State Law required the ordinance be sent to the Planning Board for land use approval. He also indicated the ordinance allows towns time to wait for State regulations. Mr. Baker outlined the changes. Councilman Wendell suggested an additional amendment. Councilman Wendell made a motion the amended ordinance be adopted on first reading, that it be published according to law and a public hearing on the ordinance be held on July 12, 2021 at the Municipal Building located at 1 Jean Walling Civic Center Drive in the Township of East Brunswick. Councilman Spadafino seconded the motion. There being no further discussion from Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the amended ordinance was adopted on first reading.

6. Reports of Mayor, Administrator, Director of Law, Clerk, Council Committee/Board, Ad Hoc Committees Reports, Request Communication:

Mayor Cohen congratulated Boys baseball, Men's track and field and an EBHS 2012 graduate who will be going to the Olympics. He also indicated EB is above 70% with COVID vaccinations.

Joseph Criscuolo, Administrator indicated the Waterpark is open.

Michael Baker, Township Attorney – Complimented the Board of Education on the 2021 Graduation ceremony.

Nennette Perry, Township Clerk – no report.

Councilman McEvoy asked questions regarding the July 12<sup>th</sup> in person Council meeting.

7. Public Portion:

Council President Sullivan opened the meeting to the public.

J from Eatontown – indicated we should allow medical dispensaries.

Jonathan Powers – UFCW Cannabis Representative indicated the law creates jobs and we should follow Bayonne’s ordinance which in favor.

Maria Rebmann, Parlin – in favor of cannabis.

Michael Baker, Township Attorney indicated that East Brunswick allows medical marijuana.

Jamie, indicated we should listen to the people – represent the people. Do Not Tax the handicap.

Camille Clark – EB Resident – medical marijuana is needed but not recreational.

David Herrera – EB Resident – in favor of medical marijuana but not recreational.

Shannon Christie – Dean Lane – long time resident, medical user – wants East Brunswick to go back to grass roots and be known as a farm town.

Edward – advocating for medical cannabis. The tax should be used to help people in wheel chairs or to get off opioids.

Pham Meegada, 2 Swallow Court – Indicated he is not in favor because of the effect recreational marijuana would have on teens.

Dhar Khona – 3 Robin Court – in favor of medical marijuana. It should be a township wide decision not just Council.

Alex Spielman, 6 Douglas Road – in favor of medical marijuana. Town as a whole should make the decision. Tax should be used to help those that are addicted to drugs.

There being no further discussion, the public portion was closed.

8. Consent Agenda: (Resolutions)

Council President Sullivan asked if anyone wished to have any items separated from the Consent Agenda. Councilman McEvoy asked that Item F be separated from the agenda. Council President Sullivan removed Item E. Council President Sullivan read the remaining items on the Consent Agenda.

- A. 17112 Granting Renewal of Alcoholic Beverage Licenses in the Township of East Brunswick for the Year 2021-2022
- B. 17113 To Approve Amusement Games Licenses at the Fairgrounds of the Middlesex County Fair on August 2-8, 2021
- C. 17114 Authorizing the Tax Collector to Refund Tax/Utility Overpayments

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- D. 17115 Establishing the Real Property Tax Payments to the East Brunswick Board of Education for the Period of July 1, 2021 to June 30, 2022
- G. 17118 Authorizing Change Order Number 1 from \$281,777.60 to \$291,244.40 Country Lane Park Improvements to Sport-Tech Construction Corporation
- H. 17119 Authorizing Submittal of Grant Application Fiscal Year 2022 NJDOT Municipal Aid Program (*Whitehall Road and New Brunswick Avenue*)
- I. 17120 Resolution of the Township of East Brunswick Rescinding a Portion of Resolution No. 17106 (*The Wine Cellar of New Jersey Inc.*)
- J. Approval of Raffle Amendment RL2482A - 4-H Leaders Middlesex County Association Inc. - August 8, 2021.
- K. Approval of Raffle Amendment RL2486A – 4H Leaders Middlesex County Association Inc. - August 8, 2021.
- L. Approval of Raffle License RA2502 – The East Brunswick Community Players – August 7, 2021.
- M. Approval of Council Agenda\Action Meeting Minutes – June 14, 2021
- N. Approval of Bill List (approval of bills owed by Township to various individuals, companies and accounts).

Resolution Re: Approval of Bill List

WHEREAS, the Township Council for the Township of East Brunswick has approved Ordinance 74-1-BB amending the municipal ordinances accordingly requiring the Township Council's approval before any disbursements are made. NOW, THEREFORE, BE IT RESOLVED by the Township Council for the Township of East Brunswick that the following bills have been duly audited and found correct by the Director of Finance and she is ordered to pay the amounts as hereinafter stated.

Councilman Wendell moved the adoption of the Consent Agenda, Items A to D and G to N. Councilman Behal seconded the motion. There being no further discussion from Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the Consent Agenda Items A to D and G to N were declared adopted.

The following item was removed from the agenda without vote:

- E. 17116 RE: Appointments to the Zoning Board of Adjustment for 2021

Council President Sullivan read the following resolution.

- F. 17117 Authorizing Execution of Developer's Agreement with IQRA Community Services

Councilman Wendell moved the adoption of the resolution. Councilman McEvoy seconded the motion. Councilman McEvoy asked why this resolution? Mr. Baker indicated that the Developers Agreement is being done after Planning Board approval. There being no further discussion from Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the resolution was declared adopted.

9. Ordinance Requiring a Public Hearing Date: July 12, 2021

Council President Sullivan read the following ordinance by title only:

- A. Ord. 21-17 Amending Chapter 228, Article XXVI, Regulations Applicable in All Districts, Zoning of the Township of East Brunswick (*EVCS Charging Stations*)

Councilman Spadafino moved that the ordinance be adopted on first reading, that it be published according to law and a public hearing on the ordinance be held on July 12, 2021 at the Municipal Building located at 1 Jean Walling Civic Center Drive in the Township of East Brunswick. Council President Sullivan seconded the motion. Councilman McEvoy asked why the change? Mr. Criscuolo explained the ordinance. There being no further discussion from Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the ordinance was adopted on first reading.

Council President Sullivan read the following ordinance by title only:

- B. Ord. 21-18 Amending Chapter 192, Article IV, Design and Performance Standards Applicable to All Development, Zoning of the Township of East Brunswick (*Parking – Striping*)

Councilman Spadafino moved that the ordinance be adopted on first reading, that it be published according to law and a public hearing on the ordinance be held on July 12, 2021 at the Municipal Building located at 1 Jean Walling Civic Center Drive in the Township of East Brunswick. Councilman Behal seconded the motion. There being no further discussion from Council, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the ordinance was adopted on first reading.

10. New Business:

None

11. For Good of the Cause:

Mayor Cohen indicated that the town could not force owners to make handicap improvements.

Joseph Criscuolo, Administrator indicated the town does not make money on handicap signs.

Council President Sullivan spoke about the upcoming July 4<sup>th</sup> Fireworks.

12. Adjournment: 8:45 PM

Councilman Behal moved that the meeting be adjourned. Councilman Spadafino seconded the motion. There being no discussion, the Clerk called the roll:

Behal - yes, McEvoy - yes, Spadafino - yes, Wendell - yes, Sullivan - yes and the meeting was adjourned at 8:45 P.M.

  
SHARON SULLIVAN, COUNCIL PRESIDENT

ATTEST:

  
NENNETTE PERRY, MUNICIPAL CLERK