PUBLIC ANNOUNCEMENT

Please be advised that the notice requirements of the Open Public Meeting Act have been complied with and satisfied in the that the annual notice which gave sufficient notice of the time, place and conduct of all public meetings of the Municipal Council of the City of New Brunswick, has been filed by the City Clerk, has been placed on an appropriate bulletin board in the lobby of the City Hall, New Brunswick, New Jersey, and has been transmitted to the official Newspaper for the City of New Brunswick, namely the Home News Tribune; as provided in a resolution adopted by this governing body.

Salute to the Flag....................................................................Leslie Zeledon
Pause for a moment to honor those American, Iraqis, and Afghanis who have lost their lives in this current conflict.

Staff in attendance:  Inspections Alex Adkins
Library Director Robert Belvin
Social Services Director David Blevins
Public Information Officer Jennifer Bradshaw
Police Det. Ryan DeGraw
Assistant City Attorney Charly Gayden
Engineer Richard Moody
Police Capt JT Miller
Economic Development Director Glenn Patterson
Fire Safety Dominic Quagliata
Fire Director Robert Rawls
City Attorney TK Shamy
Videographer Golda Speyer
Clerk Daniel Sancerni
Water Utility Willie Weaver
Deputy City Clerk Leslie Zeledon

Meeting called to order by Council President Egan with Council Members Anderson, Escobar, Fleming, Garlatti present.

PUBLIC HEARING

1. Kassmass, Inc. T/A J.J. Tavern- 732 Lounge, 1214-33-034-003

CP Egan opened the public hearing. Mr. Shamy explained that Attorney Paul Sica, representing the licensee, was present. Detective Ryan DeGraw of the Special Investigations Unit was also present. Mr. Shamy spoke about the charges. Each of 22 counts were discussed. The following testified: Det. DeGraw, Kayla Morren- Bartender, Daniel Rodriguez- DJ, Officer Stuart Way, Officer Richard Regan, Officer Jose Gomez, Det. Joshua Alexander, Cupertino Garcia.

After the conclusion of the Public Hearing and the taking of testimony on the Kassmass, Inc t/a J.J. Tavern – 732 Lounge matter, Mr. Shamy recommended that the Council go into closed session to discuss the testimony received and the evidence entered in connection with the hearing inasmuch as same may result in an Administrative Appeal and/or potential litigation.

On a motion of Council Member Garlatti, seconded by Council Member Fleming, and carried, the council entered in to a closed session to discuss the testimony and evidence relative to the hearing.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay:
Abstain:
Motion carried.
On a motion of Council Member Fleming, seconded by Council Member Garlatti, and carried, the council exited the closed session.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain: 
Motion carried.

Mr. Shamy read the following minutes of the closed session: The discussion centered upon the testimony heard, tavern reports reviewed, charges reviewed, and arguments of counsel relative to the charges and the Council is prepared to make a disposition with respect to the charges dated April 12, 2016. Mr. Shamy read aloud Resolution R-071665. No one from the public commented. CM Escobar explained to the owner Mr. Garcia that having a liquor license is a big responsibility and there is no excuse for not knowing the laws and that he should learn the laws.

On a motion of Council Member Fleming, seconded by Council Member Anderson, Resolution R-071665 was adopted.

Roll Call:
Aye: Anderson, Escobar, Fleming, Egan
Nay: 
Abstain: Garlatti
Motion carried.

Mr. Shamy recommended the council consider the resolution renewing the license with conditions. He articulated the conditions regarding Police Extra-Duty. Mr. Sica spoke against the special conditions and asked the Council accept private security instead of Police Extra-duty to make it more affordable for the licensee.

Public Comment: None

On a motion of Council Member Fleming, seconded by Council Member Garlatti, and carried, Resolution R-071691 was adopted.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain: 
Motion carried.

2. Pirsiv. Inc. T/A Mi Tierra Bar, 1214-33-047-005

CP Egan opened the public hearing. Mr. Shamy explained that Attorney George Gussis, representing the licensee, was present as well as the principal of the license. Mr. Shamy read out loud the special conditions that were placed on the license when it was renewed last year. Ms. Gayden represented the City in this matter. The following testified: Detective Ryan DeGraw. Mr. Gussis spoke in defense of his client. The Council Members asked Mr. Gussis questions. A member of Espiranza, Rafael Sanchez of 45 Delevan St., spoke about conditions on French Street and the need for improvement. He asked that the owner of Mi Tierra meet with him to talk about making it a better bar. He spoke about problems with the patrons going to the bar. He spoke in support of conditions on the license. CM Escobar assisted in correcting translation. Mr. Gussis questioned Mr. Sanchez. A member of Espiranza, a woman living on 6 Jersey Ave. She spoke about the conditions around Mi Tierra. She spoke in support of conditions on the license. It is safer only when Police are on duty at the bar. CM Escobar assisted in correcting translation. A member of Espiranza, Bonafilia Hakim, of 33 Jersey Ave, spoke about the conditions of Jersey Ave and Handy Street. She spoke in support of conditions on license for Mi Tierra. Mr. Gussis questioned Ms. Hakim.

After the conclusion of the Public Hearing and the taking of testimony on the Liquor License Renewal hearing for Pirsiv Inc, T/A Mi Tierra Bar, Mr. Shamy recommended that the Council go into closed session to discuss the testimony received and the evidence entered in connection with the hearing
inasmuch as same may result in an Administrative Appeal and/or potential litigation.
On a motion of Council Member Garlatti, seconded by Council Member Fleming, and carried, the Council entered in to a closed session to discuss the testimony.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain:
Motion carried.

On a motion of Council Member Anderson, seconded by Council Member Fleming, and carried, the council exited the closed session.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain:
Motion carried.

Mr. Shamy read the following minutes of the closed session: Council discussed testimony elicited regarding the imposition of special conditions upon Mi Tierra for license year 2016-2017, After discussions among and between the council considering the testimony presented and the reports reviewed, that being the tavern report, the council is prepared to adopt resolution R-071692 containing special conditions.
Public Comment: None
On a motion of Council Member Garlatti, seconded by Council Member Fleming, and carried, Resolution R-071692 was adopted.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain:
Motion carried.

3. D’Gala Café & Restaurant, Inc. T/A D’Gala Café & Restaurant, 1214-33-007-003

CP Egan opened the public hearing. Mr. Shamy explained that Attorney George Gussis, representing the licensee. Ms. Gayden explained that there might already be a resolution to the issues surrounding conditions on the license. CP Egan suggested that the council go into closed session.
Mr. Shamy recommended the council go into closed session. He explained that the purpose of the closed session is to discuss a potential resolution of imposition of special conditions of the renewal of the D’Gala license, and should same not be resolved, litigation may result.

On a motion of Council Member Fleming, seconded by Council Member Garlatti, and carried, the council entered in to a closed session to discuss the testimony.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain:
Motion carried.

On a motion of Council Member Garlatti, seconded by Council Member Escobar, and carried, the council exited the closed session.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain:
Motion carried.

Mr. Shamy read the following minutes of the closed session: The closed session detailed discussions relative to the renewal of the D’Gala Café regarding imposition of special conditions. Mr. Gussis and Ms. Gayden had exchanges back and forth relative to a potential compromise relative to the imposition
of special conditions and the licensee is agreeable and the council is offering a renewal with the special conditions modified from last year’s special conditions. These special conditions are shown in resolution R-071693

Public Comment: None

On a motion of Council Member Garlatti, seconded by Council Member Anderson, and carried, Resolution R-071693 was adopted.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay:
Abstain:
Motion carried

O-071601 AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, VEHICLES AND TRAFFIC, CHAPTER 10.16 - STOPPING, STANDING AND PARKING, SECTION 10.16.050 - SCHEDULE 29, “TIME LIMIT PARKING” RE: LIBERTY STREET

Council President Egan opened the Public Hearing on the above ordinance.

Public Comment: Charles Kratovil asked for explanation of the ordinance. Mr. Moody responded.

On a motion of Council Member Garlatti, seconded by Council Member Fleming, and carried, the above ordinance was adopted on Final Reading on July 20, 2016.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay:
Abstain:
Motion carried.

O-071602 AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, VEHICLES AND TRAFFIC, CHAPTER 10.12 - TRAFFIC CONTROL REGULATIONS, SECTION 10.12.040 - SCHEDULE 6, “STOP INTERSECTIONS”
ADD:
RESERVOIR AVENUE & PARK DRIVEWAY - STOP SIGN ON PARK DRIVEWAY
NICHOL AVENUE & SANDFORD STREET - STOP SIGN ON SANDFORD STREET
SANDFORD STREET & NICHOL AVENUE - STOP SIGN ON NICHOL AVENUE
NICHOL AVENUE & PARK DRIVEWAY - STOP SIGN ON PARK DRIVEWAY

Council President Egan opened the Public Hearing on the above ordinance.

Public Comment: None

On a motion of Council Member Garlatti, seconded by Council Member Fleming, and carried, the above ordinance was adopted on Final Reading on July 20, 2016.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay:
Abstain:
Motion carried.

O-071603 AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, VEHICLES AND TRAFFIC, CHAPTER 10.16 - STOPPING, STANDING OR PARKING, SECTION 10.16.020 - SCHEDULE 24, “NO PARKING AT ANY TIME” AND SCHEDULE 26, “NO PARKING CERTAIN HOURS” (ALTERNATE PARKING- STREET CLEANING PROGRAM) RE: VAN DYKE AVE
Council President Egan opened the Public Hearing on the above ordinance. Public Comment: Mr. Kratovil asked for the purpose of the ordinance. Mr. Moody responded. On a motion of Council Member Fleming, seconded by Council Member Garlatti, and carried, the above ordinance was adopted on Final Reading on July 20, 2016.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain: 
Motion carried.

INTRODUCTION OF ORDINANCES

O-071604 AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, VEHICLES AND TRAFFIC, CHAPTER 10.16 - STOPPING, STANDING OR PARKING, SECTION 10.16.020 - SCHEDULE 24, “NO PARKING AT ANY TIME” RE: PARK DRIVEWAY

On a motion of Council Member Garlatti, seconded by Council Member E, and carried, the above ordinance was adopted on first reading and held over for Public Hearing on August 3 at 5:30P.M. in the Council Chambers in City Hall.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain: 
Motion carried.

O-071605 AN ORDINANCE TO ADOPT THE FERREN REDEVELOPMENT PLAN IN THE CITY OF NEW BRUNSWICK

On a motion of Council Member Garlatti, seconded by Council Member Escobar, and carried, the above ordinance was adopted on first reading and held over for Public Hearing on August 3 at 5:30P.M. in the Council Chambers in City Hall.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay: 
Abstain: 
Motion carried.

COMMUNICATIONS

1. A letter from the NJDEP regarding an application for renewal of a solid waste facility permit for a solid waste transfer station/material recovery facility.
2. A letter from Mott MacDonald, formerly Hatch Mott MacDonald, regarding republic services of New Jersey, LLC-New Brunswick TS/MRF- NJDEP Solid Waste Facility permit renewal application.
3. A letter from NJDOT regarding the Transportation Trust Fund Account.
4. A letter from Spectra Energy regarding raising public awareness about underground facilities, such as our high-pressure natural gas pipelines, so that injuries and property damages might be avoided.
   The correspondence will be forwarded to the appropriate departments for further action.
RESOLUTIONS

Public Comment: CM Anderson asked about original location regarding R-071677 and R-071679. Mr. Shamy and Mr. Marchetta responded. Charles Kratovil asked about R-071672. Capt. Miller responded. Mr. Kratovil asked about R-071673. CP Egan and Mr. Shamy responded. Mr. Kratovil asked about R-071671. Capt. Miller responded. Mr. Kratovil asked about R-071695. Mr. Shamy responded.

Resolutions R-071604 through R-071695, except R-071664, R-071666, R-071667 moved by Council Member Fleming, seconded by Council Member Garlatti and carried were adopted, on consent, by the Municipal Council.

Roll Call:
Aye: Anderson, Escobar, Fleming, Garlatti, Egan
Nay:
Abstain:
Motion carried.
NEW BUSINESS

Danielle Moore 188 Rutgers St. spoke about car accidents on Lee Ave and asked for an update on future crosswalks and crosswalk lights. Mr. Moody responded. She complained about Baldwin and Railroad Ave cars driving the wrong way on the one-way street. She wants the railing reinstalled. She spoke about residents being issued tickets for having garbage cans out. Charles Kratovil asked CM Garlatti why she abstained on the Kassmass resolution. CM Egan responded. Mr. Kratovil spoke about the posting of accident reports on the City Website and transparency.

On a motion regularly made, seconded and carried, the meeting adjourned at 9:00 P.M.

Leslie Zeledon
Deputy City Clerk

Kevin P. Egan
Council President