JUNE 5, 2019
REGULAR MEETING OF THE COUNCIL OF THE CITY OF NEW BRUNSWICK HELD ON JUNE 5, 2019 AT 5:30 P.M. IN COUNCIL CHAMBERS, CITY HALL

PUBLIC ANNOUNCEMENT

Please be advised that the notice requirements of the Open Public Meeting Act have been complied with and satisfied in 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.................................................................Shalon T. Bennett
Pause for a moment to honor those American, Iraqis, and Afghanis who have lost their lives in this current conflict.

Staff in attendance:

Youth Services Supervisor Ivan Adorno
Deputy City Clerk Shalon T Bennett
Mayor's Office Ryan Berger
Public Information Officer Jennifer Bradshaw
Assistant City Attorney Joseph J. Catanese
Acting Planning Director Daniel Dominguez
Assessor Phil Duchesneau
Assistant City Administrator Michael Drulis
Water Utility Eric Kouao Ekoue
Social Services Director Melanie Daniels Ford
Police Detective Ryan DeGraw
Assistant City Administrator Brandon Goldberg
Police Capt. Goldeski
Police Sgt. Scott Gould
Community Organizer Keith Jones II
Planning Dept. Tina Mc Caskill
Police Capt. JT Miller
Fire Safety Dominic Quagliata
Registrar Lainie Ramirez
Fire Director Robert Rawls
City Market Pam Stefanek
City Attorney TK Shamy
Fire Dept Cheryl Smith
City Administrator Daniel A. Torrisi
Director of Public Works/ Engineering Thomas Valenti
Water Director Alexei Walus
Water Utility Willie Weaver
City Clerk Leslie Zeledón

On motion of Council Member Egan, seconded by Council Member Escobar and carried, the minutes of the previous Council Meetings held on May 1, 2019 were approved and adopted as engrossed.

Meeting called to order by Council President Anderson with Council Members Egan, Escobar, Sicora Ludwig present. Council Member Fleming was absent.
Resolution R-061900A to read the 2019 City Market Budget by title, moved by Council Member Egan, seconded by Council Member Escobar and carried was adopted, by the Municipal Council.

Roll Call:
Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:

Council President Fleming opened the Public Hearing on the budget.
Public Comment: None
On a motion of Council Member Egan, seconded by Council Member Escobar, and carried, the budget hearing was closed.

Roll Call:
Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain: Motion carried.

On a motion of Council Member Egan, seconded by Council Member Escobar, and carried, the resolution to adopt the City Market budget was adopted.

Roll Call:
Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain: Motion carried.

Council President Anderson opened the Public Hearing on the above ordinance.
Public Comment: None
On a motion of Council Member Egan, seconded by Council Member Escobar, and carried, the above ordinance was adopted on Final Reading on June 5, 2019.

Roll Call:
Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain: Motion carried.
INTRODUCTION OF ORDINANCES

**O-061901**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 10, VEHICLES AND TRAFFIC, CHAPTER 10.20 – HANDICAPPED PARKING, SECTION 10.20.010 – SCHEDULE 39 – “PARKING ZONES FOR HANDICAPPED PERSONS”
ADD:
LAUREL PLACE

On a motion of Council Member Sicora Ludwig, seconded by Council Member Escobar, and carried, the above ordinance was adopted on first reading and held over for Public Hearing on June 19 at 5:30P.M. in the Council Chambers in City Hall.

Roll Call:

Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain:
Motion carried.

**O-061902**

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: CARPENNDER ROAD

On a motion of Council Member Sicora Ludwig, seconded by Council Member Escobar, and carried, the above ordinance was adopted on first reading and held over for Public Hearing on June 19 at 5:30P.M. in the Council Chambers in City Hall.

Roll Call:

Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain:
Motion carried.

COMMUNICATIONS

1. A Remedial Action Protectiveness Biennial Certification Form from NJDEP regarding 401 Jersey Ave.
2. A Response Action Outcome letter amendment from Envirotactics regarding 100 Jersey Ave.
3. A LSRP General Information Notice from NJDEP regarding New Brunswick Lamp Shade Co Inc.
4. A Response Action Outcome letter from PSE&G regarding 268 Baldwin Street.
5. A letter from the American Hungarian Foundation regarding the Hungarian Festival.
6. A correspondence to amend and supplement the Response Action Outcome dated December 15, 2017 regarding 1 Johnson & Johnson Plaza.
7. A letter from Kelso & Burgess regarding Recon Services LLC Preliminary and Final Site Plan with Variance Approvals in order to construct a five-story residential apartment building.
8. A Resolution from the Township of Edison expressing opposition to the 180-mile oil pipeline between Albany, NY and Linden NJ to be constructed by Pilgrim Pipeline Company.
RESOLUTIONS

Public Comment: Charlie Kratovil inquired about R-061935. City Attorney Shamy responded. Resolutions R-061901 through R-061938, moved by Council Member Egan, seconded by Council Member Escobar and carried were adopted, on consent, by the Municipal Council.

Roll Call:

Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain:
Motion carried.
CP Anderson opened the public hearing. City Attorney Shamy spoke in regards to the charges brought against Mi Tierra Bar. Det. Degraw of the Special Investigations Unit was called as a witness. Det. Degraw began to speak on his recollection of the investigation of Mi Tierra Bar. Det. Degraw explained the layout and condition of the bar, the lighting, empty bags which were tested and came back as cocaine and employees who worked the night of the search. Det. Degraw asked the manager to provide different documents that are required to be available, these documents were either not available or outdated. Representation for Mi Tierra Bar, Michael Roberts, Esq, asked questions to Det. Degraw regarding the investigation, video surveillance and the condition of the bar. Det. Degraw answered. Mr. Roberts then asked Det. Degraw was the owner of the bar, Mr. Sivakumar, charged for the investigation, Det. Degraw answered no. Mr. Roberts mentioned Mr. Sivakumar did hand in the required documents to Det. Degraw within a few days after the search. Maria Jumelles, Manager of Mi Tierra Bar was called as a witness. Maria said she has been employed by the owner for 18-20 years, is a part of the hiring process of employees and manages the bar. City Attorney asked Ms. Jumelles questions, witness responded. Owner of Mi Tierra Bar, Sivakumar was called to speak. City Attorney asked him many questions regarding the search, management, condition of the bar and if he was aware of what took place at his bar. Mr. Sivakumar responded.

On a motion of Council Member Egan, seconded by Council Member Escobar, and carried, the City Council finds and determines that Pirsiv, Inc. t/a Mi Tierra Bar is guilty of the Charges set forth in the April 1, 2019 Complaint as follows: Counts 1 (A) through (R) with exception of (Q); Counts 2 and 3; Count 4 there is a finding of no violation by Resolution R-061934.

Roll Call:

Aye: Egan, Escobar, Sicora Ludwig, Anderson

Nay:

Abstain:

Motion carried.
CLOSING SESSION MINUTES FROM JUNE 5, 2019 CITY COUNCIL MEETING

Whereby a motion was made by Council Member Egan and seconded by Council Member Escobar to go into closed session to discuss the testimony heard and the evidence received in connection with the disciplinary hearing against Pirsiv, Inc. t/a Mi Tierra Bar, 14 Jersey Avenue, Liquor License 1214-33-047-005.

Roll Call:
Aye: Egan, Escobar, Sicora Ludwig, Anderson
Nay:
Abstain:
Motion carried.

While in closed session, the members of Council discussed the evidence submitted in support of the April 1, 2019 charges against the Licensee which included the testimony of New Brunswick Detective Ryan DeGraw, Police Officer Robert Triebsch, New Brunswick Police Officer Jay Hamann, Rodney Blount, Pirian Sivakumar and Maria Jumelles. The members of Council thereafter reached a determination regarding a finding relative to the April 1, 2019 charges filed by the New Brunswick Police Department against the Licensee.
NEW BUSINESS

CP Anderson congratulated Coach Price and the Women’s Rowing Team of Rutgers University. CP also spoke on the Hungarian Heritage Festival. CM Escobar reminded the public of the Energy Aggregation Program. Mathew Baxter of Laurel Place spoke in support of a handicap parking space in the area. Danielle Moore of 333 Somerset Street mentioned she had a gift for Mr. Patterson. Ms. Moore also spoke on recycling and garbage in the area, thanked the Council and employees for their help with street lights. Resident of Comstock Street spoke in support of revoking the Mi Tierra Bar liquor license and mention having signatures of other residents in the area for the same. Teresa Vivar of Prosper Street thanked the Council for approving events for Lazos Events. Ms. Vivar recently received a ticket and feels it is a misunderstanding for the Health Dept. of Middlesex County. Mr. Kratovil inquired about the closing of Super Fresh and an upcoming development by Recon. CP Anderson and Acting Planning Director Dominguez responded. Mary Stacutia, Animal Activist spoke in support of TNVR. Nancy Scalzone of Chester Circle spoke in support of TNVR. Sandra, resident of New Brunswick spoke in support of the revocation of the Mi Tierra Bar license. Carol Pasnet of North Brunswick spoke in support of TNVR. Mary Ann Casio spoke in support of TNVR as well. Jeffrey Horowitz of 16 Laurel Place thanked the Council for their assistance regarding a handicap parking space and asked if the City can provide garbage bins.

On a motion regularly made, seconded and carried, the meeting adjourned at 10:09 P.M.

Leslie R. Zeledón  
City Clerk

John Anderson  
Council President