

## **EAST WINDSOR TOWNSHIP COUNCIL**

December 18, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on December 18, 2012

Acting Municipal Clerk Kathie Senior certified that the meeting was noticed in the Annual Meeting Notice. Notices were sent to the Trenton Times, filed with the Municipal Clerk and posted in the East Windsor Township Municipal Building, all on January 18, 2012. All requirements of the "Open Public Meetings Act" were satisfied.

David Orron led the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Hector Duke, Alan Rosenberg, Perry Shapiro, Peter Yeager and John Zoller. Also present were Township Manager Alan M. Fisher, Township Attorney David E. Orron and Acting Municipal Clerk Kathie Senior.

**PRESENTATIONS & PROCLAMATIONS: NONE**

**PUBLIC FORUM: NONE**

**INTERVIEWS FOR BOARDS AND COMMISSIONS:**

Mayor Mironov and Council Members interviewed John Putrino for a position on a Township Board or Commission. Mr. Putrino expressed an interested in any board where we need someone.

Mayor Mironov and Council Members interviewed Sandra Alexander for a position on a Township Board or Commission. Ms. Alexander expressed an interested in the Health Advisory Board, Drug Alliance Board or any board where we need someone.

Mayor Mironov and Council Members interviewed Kantilal Patel for a position on a Township Board or Commission. Mr. Patel expressed an interested in the Economics Development Committee or Planning Board.

Mayor Mironov and Council Members interviewed Andrew Sung for a position on a Township Board or Commission. Mr. Sung expressed an interested in the Health Advisory Board, Drug Alliance Board or any board where we need someone.

**MINUTES:**

November 12, 2012

Mayor Mironov stated that the November 21, 2012 minutes would be held.

November 27, 2012

Mayor Mironov stated that the November 27, 2012 minutes would be held.

December 4, 2012

Mayor Mironov stated that the December 4 2012 minutes would be rescheduled.

**RESOLUTIONS:**

**Resolution R2012-216**            Action on Request for Reduction of Performance  
Guarantees for Brooktree Swim Club, LLC

Mayor Mironov indicated that we have received confirmation back from the engineer of the engineer's original recommendations, in light of Bill Askenstedt's concerns. The Mayor further requested that the escrow be checked to make sure they are in compliance.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-116 be approved with condition that escrow compliance be checked and satisfactory.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-117 was approved with condition that escrow compliance be checked and satisfactory.

**Resolution R2012-231**            Authorizing Transfers Among the 2012 Budget  
Appropriations

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2012-231 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-231 was approved.

**Resolution R2012-230**            Authorizing Cancellation of 2012 Budget Appropriations

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-230 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-230 was approved.

**Resolution R2012-232** Authorizing Cancellation of Small Balances

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2012-232 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-232 was approved.

**Resolution R2012-234** Cancellation of Ordinance Balances

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-234 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-234 was approved.

**Resolution R2012-229** Approval of Amendment to Professional Services for Legal Services for Special Tax Counsel with Harry Haushalter

It was MOVED by ROSENBERG and seconded by ZOLLER that Resolution R2012-229 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-229 was approved.

**Resolution R2012-235** Chapter 159 – Amending the 2012 Municipal Budget Providing an Item of Revenue and Appropriation for the 2012 Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2012-235 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-235 was approved.

**Resolution R2012-236** Authorizing Approval of Shared Service Agreement with Robbinsville Township for Animal Control Services

Mayor Mironov noted that Robbinsville had approved the agreement

It was MOVED by SHAPIRO and seconded by DUKE that Resolution R2012-236 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-236 was approved.

**Resolution R2012-237** Authorizing Approval of Shared Service Agreement with West Windsor Township for Animal Control Services

Mayor Mironov noted that West Windsor had approved the agreement

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2012-237 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-237 was approved.

**Resolution R2012-238** Authorizing Approval of Shared Service Agreement with Hamilton Township for Health Officer Services

Mayor Mironov noted that all three agreements had been approved by Hamilton and that there were no increases from 2012 agreements.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-238 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-238 was approved.

**Resolution R2012-239** Authorizing Approval of Health Officer Agreement with Hamilton Township Health Officer

It was MOVED by DUKE and seconded by SHAPIRO that Resolution R2012-239 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-239 was approved.

**Resolution R2012-240** Authorizing Approval of Shared Service Agreement with Hamilton Township for Health Services

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2012-240 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-240 was approved.

**Resolution R2012-241** Action on Bid for Lease of Farmland on Etra Road (Block 30, Lot 12)

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-241 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-241 was approved.

**Resolution R2012-242** Action on Bid for Lease of Farmland on Etra Road (Block 32, Lot 9)

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2012-242 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-242 was approved.

**Resolution R2012-243** Cancellation Grant Expenditures

Mayor Mironov and Council were in agreement to hold Resolution R2012-243

**Resolution R2012-244**      Cancellation of Grant Receivable

Mayor Mironov and Council were in agreement to hold Resolution R2012-244

**APPLICATIONS: NONE**

**REPORTS BY COUNCIL AND STAFF:**

Mr. Yeager spoke about 2013 dates and potential projects for the Municipal Alliance. The quarterly report is due in January for activity ending this month. Mr. Yeager further reported that the Recreation Committee met on December 12<sup>th</sup> and discussed summer events, sponsorships and Fourth of July event.

Mayor Mironov stated that the Economic Development Committee met on December 13 and discussed possible programs for 2013 to promote business in East Windsor and to partner with the 2 Chambers with which we keep memberships. The Mayor further stated the Committee discussed the Marketing brochure. Mayor Mironov indicated she and Councilman Rosenberg attended a DARE graduation on December 6. The Mayor further mentioned that the Womanspace Communities of Light gathered at the Municipal Building on Monday, December 10 with several members of Womanspace, active members of the Police force, and many members of the community.

**CORRESPONDENCE: NONE**

**APPOINTMENTS: NONE**

**APPROVAL OF BILLS:**

Mayor Mironov asked if there were questions on any bills. Mayor Mironov requested clarification regarding the Escrow Addendum. Mr. Fisher responded stating that this is from the Transportation Trust account. Mayor Mironov directed staff should reflect appropriate subject heading so that it does not look like an Escrow account. Mayor Mironov further stated that this bill would be paid contingent on that appropriate account designation is received prior to being paid.

Mr. Rosenberg requested clarification on a bill for Various Items page 2 on the 2012 Escrow Addendum.. Mr. Fisher provided clarification stating it was several items.

Mayor Mironov noted on page 2 and 3 of the 2012 current bill list regarding Bottle Water, stating that since the Township has a new arrangement thanks to the Turnpike Authority and the Township is on city water, there should be no need to

continue this bill in the future. The Mayor further directed Mr. Fisher to follow-up to ensure this bill is no longer placed on the Bill List. On page 4 of 2012 current bill list, the Mayor requested clarification regarding the Legal Services bill. Mr. Fisher responded stating bills were mischarged and that any Legal Services bills should be charged to the Planning Board Licensed Professional Account. Mayor Mironov stated that any vote is conditional that these bills listed under legal services be under Planning Board for payment. On page 18, the last bill for Acting Prosecutor for the November 15 session it was asked if this was the final session and the nature of this bill.

It was MOVED by DUKE and seconded by SHAPIRO that the bills be approved with corrections and conditions.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller Mironov  
Nays – None

There being six (6) ayes and no (0) nays, the bills were approved with corrections and conditions.

**MATTERS BY COUNCIL:**

Mayor Mironov stated they were in receipt of a explanation from the Health Department bill regarding food. Mayor Mironov stated they were also in receipt of paperwork backing up that insurance is covering the sprinkler lighting damage, which a bill was approved contingent of on this confirmation. Mayor Mironov noted the Turnpike Widening project detour at Route 33 and Route 133 in connection with construction of the bridge is in progress, with detours from 9 pm to 6 am and hope to have this complete within a few days. The Freeholder Reorganization meeting is on January 4, 2013. Mayor Mironov requested clarification as to a letter from DeGeorge dated November 14, 2012.

**MATTERS BY PUBLIC: NONE**

**DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:**

1. 2013 Independence Day Celebration

Mayor noted a memo from the Recreation Director recommending dates. Mr. Rosenberg stated that the proposed dates based on the memo are acceptable. Mayor Mironov asked if there is a difference in rates based on different dates, and Mr. Brady stated that for some dates as July 4 and weekend, it would outside of the normal work week and subject to different rates.

It was MOVED by DUKE and seconded by YEAGER that the 2013 Independence Day Celebration be approved as July 3<sup>rd</sup>, 2013 with a rain date of July 5<sup>th</sup>, 2013

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, the 2013 Independence Day Celebration as July 3<sup>rd</sup>, 2013 with a rain date of July 5<sup>th</sup>, 2013 was approved

2. Revisions to East Windsor Township Escrow Deposits Ordinance

Township Manager and Township Attorney confirmed to the Mayor and Council that there was a meeting assembled by the Manager. They reviewed ordinances from other towns, and are drafting a proposal hopeful to be ready for a January meeting.

3. Response of JCP&L to Super Storm Sandy  
**Resolution R2012-245** Regarding JCP&L's Response To Hurricane Sandy

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2012-242 be approved.

Mr. Rosenberg stated that the residents of the town dealt with the storm with a neighborliness and grace, but what was troubling was that the power company was not supplying information and made a bad situation worse. Mayor Mironov noted that the Resolution specifically notes these concerns.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-245 was approved.

4. Assembly Bill A-2753, "Would Direct Payment of Energy Taxes Directly To Municipal Government"  
**Resolution R2012-246** Support of Assembly Bill A-2753, "Would Direct Payment of Energy Taxes Directly To Municipal Government"

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-246 be approved.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Resolution R2012-246 was approved.



5. 2013 Municipal Budget/Status

Mayor Mironov stated the Township Manager has provided the Mayor with tentative milestones on this and is working in good faith.

6. Police/Court Solar Project

Mayor Mironov stated that the contractor who placed a proposal has extended the proposal to June 30, 2013, and the Mayor directed staff to place this on the calendar for early March to revisit the status of this project.

7. Request for Leave

Mayor Mironov stated there is a memo from the Township Manager regarding a request for leave without pay for an employee with health issues, upon the termination of all other available leaves which include sick, vacation and personal leave time.

It was MOVED by DUKE and seconded by YEAGER that Request for Leave be approved upon the termination of all other available leaves which include sick, vacation and personal leave time.

ROLL CALL: Ayes – Duke, Rosenberg, Shapiro, Yeager, Zoller, Mironov  
Nays – None

There being six (6) ayes and no (0) nays, Request for Leave was approved upon the termination of all other available leaves which include sick, vacation and personal leave time.

Mr. Rosenberg congratulated Mayor Mironov on her new appointment as President of the New Jersey League of Municipalities

There being no further business Mayor Mironov adjourned the meeting at 9:00 p.m.

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Kathie Senior  
Acting Municipal Clerk

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Janice S. Mironov  
Mayor