

EAST WINDSOR TOWNSHIP COUNCIL

Wednesday, September 5, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on September 5, 2012.

Assistant to the Municipal Clerk Joseph Kostecki certified that the meeting was noticed in the Amended 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 August 13, 2012. All requirements of the "Open Public Meetings Act" were satisfied.

Chief of Police Monahan led the flag salute.

Present were: Mayor Janice S. Mironov, Deputy Mayor Perry Shapiro and Council Members Hector Duke, Marc Lippman Alan Rosenberg, Peter Yeager, and John Zoller. Also present were Township Manager Alan M. Fisher, Township Attorney David E. Orron and Assistant to the Municipal Clerk Joseph Kostecki.

PRESENTATIONS & PROCLAMATIONS:

Mayor Janice S. Mironov administered the Oath of Office to newly promoted East Windsor Township Police Lieutenant James Geary, newly promoted Sergeant Cory Paieda and New Police Officer Michael Greco.

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

PUBLIC FORUM: None

MINUTES:

April 3, 2012

It was MOVED by DUKE and seconded by SHAPIRO that the April 3, 2012 minutes be approved with revisions dated August 6, 2012.

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

There being seven (7) ayes and no nays, the April 3, 2012 minutes were approved with revisions dated August 6, 2012.

Mayor Mironov stated that the April 17, 2012, May 15, 2012, June 6, 2012, June 26, 2012, July 10, 2012, July 24, 2012, July 24, 2012 (Closed Session), August 7, 2012, August 7, 2012 (Closed Session) would be held till the September 18, 2012 Council meeting.

RESOLUTIONS:

Resolution R2012-185 Renewal of Alcoholic Beverage Control License for EW
Bistro, LLC

Mayor Mironov stated this Resolution is an inactive, special license that was approved by the State. Mayor Mironov opened this Resolution for public comment and seeing none, opened this for consideration.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-185 be approved.

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

There being seven (7) ayes and no nays, Resolution R2012-185 was approved.

Resolution R2012-186 Chapter 159 – Amending the 2012 Municipal Budget
Providing an Item of Revenue and Appropriation for the
2012 DVRPC Drive NJ Turnpike TCDI Program Study

Mayor Mironov requested DVRPC be spelled out, “DRIVE” removed and “Grant” be added to reflect 2012 Delaware Valley Regional Planning Commission New Jersey Turnpike TCDI Program Study Grant.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2012-186 be approved as corrected.

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

There being seven (7) ayes and no nays, Resolution R2012-186 was approved as corrected.

Resolution R2012-187 Chapter 159 – Amending the 2012 Municipal Budget
Providing an Item of Revenue and Appropriation for the
2012 New Jersey Department of Transportation Disbrow
Hill Bikeway

Mayor Mironov requested “Grant” be added after “Bikeway.” She further added that this resolution allows so that the grant funds be appropriated and spent.

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2012-187 be approved as corrected.

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

There being seven (7) ayes and no nays, Resolution R2012-187 was approved as corrected.

Resolution R2012-188 Approval of Application with Mercer County for Grant Funding for East Windsor Municipal Alliance for the Prevention of Substance Abuse for 2013

Mayor Mironov stated this is an application for East Windsor Township, and the program is now in its third year.

It was MOVED by LIPPMAN and seconded by SHAPIRO that Resolution R2012-188 be approved.

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

There being seven (7) ayes and no nays, Resolution R2012-188 was approved.

Resolution R2012-189 Action on Request for Release of Performance Guarantees for Riviera at East Windsor – Phase 3 (Clubhouse)

Mayor Mironov stated there is a recommendation from the Township Engineer dated July 10, 2012. The Resolution denied the release.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2012-189 be approved.

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

There being six (6) ayes, no nays and one abstention, Resolution R2012-189 was approved.

Resolution R2012-190 Action on Bids for the Resurfacing and Various Improvements to Dutch Neck Road between the Intersection of Hickory Corner Road and Oak Creek Road

Mayor Mironov requested a change in the Resolution's fifth paragraph to reflect the correct CFO certification amount of \$250,713. The Mayor stated \$220,000 of the money comes from a Department of Transportation grant and the remainder of this is from the Township's annual Capital Fund.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-190 be approved as corrected.

The Mayor stated this is the result of a bid process in which the Township received nine bids. This bid was the lowest bid, and memos were provided by the Township Manager and Public Works Director that the bid specifications are complied with.

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

There being seven (7) ayes and no nays, Resolution R2012-190 was approved with corrections.

Resolution R2012-191 Action on Bids for the Reconstruction and Various
Improvements to Feldsher Road

Mayor Mironov stated the Township received twelve bids and recommendations were received from the Public Works Director and Township Engineer, indicating the low bid is compliant with the specifications and the company has the qualifications to complete the project.

It was MOVED by SHAPIRO and seconded by DUKE that Resolution R2012-191 be approved.

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

There being seven (7) ayes and no nays, Resolution R2012-191 was approved with corrections.

Resolution R2012-192 Closed Session (Attorney-Client Privilege) (Litigation)

It was MOVED by SHAPIRO and seconded by YEAGER that Resolution R2012-192 be approved.

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

There being seven (7) ayes and no nays, Resolution R2012-192 was approved

APPLICATIONS:

Raffle License RL:367 BPOE #1955 Hightstown Lodge – October 27, 2012 at the
BPOE #1955 Hightstown Lodge, 110 Hickory Corner
Road, Casino Night

It was MOVED by ROSENBERG and seconded by ZOLLER that Raffle License RL:367
be approved.

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

There being five (5) ayes, no nays and two (2) abstentions, Raffle License application
RL:367 was approved

REPORTS BY COUNCIL AND STAFF:

Mr. Rosenberg stated Clean Communities Committee met on August 23. The Clean
Communities Committee received an enthusiastic commitment from Home Depot to host
Recycling Day in their parking lot. Mr. Rosenberg stated this is a great example of local
businesses helping out the Township of East Windsor. Mr. Rosenberg further stated the
Middle School suggestion box contest is “How to Increase The Amount of Recycling in
Our Community.”

Mr. Yeager stated the East Windsor Drug and Alcohol Alliance met on September 6,
before the Council meeting, and discussed upcoming events and the grant application
recently voted on and approved by the Council. Mr. Yeager expressed his appreciation
on behalf of the Alliance. They further discussed National Night Out and the success of
the event.

CORRESPONDENCE: None

APPOINTMENTS:

Mayor Mironov appointed Council Member Alan Rosenberg as an East Windsor
Township Representative to the RISE Board with a term expiring 12/31/12

APPROVAL OF BILLS:

Mayor Mironov asked if the Council has any questions or if they would like any bills
pulled. Seeing none, Mayor Mironov referenced the 2012 Current Bill List and requested
the second bill be pulled for clarification. Mayor Mironov further requested clarification
on an Allister/Duplitrone maintenance bill, which is shown on page 1. Mayor Mironov
requested that with agreement by Council, the very last bill on the capital bill list on page
2 be released only on the condition that steps are taken by Township Manager to supply

Mayor Mironov with a report and action plan regarding related matters before the bill be released.

It was MOVED by DUKE and seconded by LIPPMAN that the bills be approved with items pulled and questioned.

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

There being seven (7) ayes and no nays, the bills were approved with items pulled and questioned.

MATTERS BY COUNCIL:

Mayor Mironov stated there is a Tax Collectors report date ending July 31, 2012, a letter from the Department of Transportation awarding a grant for \$100,000 for the Disbrow Hill Bikeway, and a letter from the Department of Transportation regarding FY2013 municipal aid.

Better Beginnings thanked East Windsor Township for their support in a letter provided to the Township. The Township also received a Best Practices Checklist from the State of New Jersey and the Mayor requested this to be placed on an upcoming Council agenda. The bicycle safety program, Bike At Night Use a Light program is still ongoing to ensure people have the necessary front and back lights on their bicycles.

This year will be the 11th year for 9-11 and the Township will have a wreath-laying on September 11, 2012 at noon in remembrance of the day. A notice was provided by the New Jersey Turnpike Authority regarding a detour and closure that will occur on Route 33, on or about September 24, 2012 as a tentative date. The Township is working with the New Jersey Turnpike Authority to minimize the inconvenience. Closures will be night-time only from 9 pm to 6 am and signage, detours and notices from the New Jersey Turnpike Authority will be provided to residents. The State sent a letter to towns to release Affordable Housing trust funds by August 13, 2012 and the court intervened, stating the State was not authorized at that point to require any towns forfeit Affordable

Housing Trust Funds. The State has not appealed this decision and at this point, the Affordable Housing Trust Funds remain in the towns, where they belong.

MATTERS BY PUBLIC:

A resident failing to state their name and address for the record, referred to a privatization agreement with Ewing Township, where he estimated they save approximately \$300,000 by contracting with Central Jersey Waste over a period of five years. Mayor Mironov stated the Township is always open to consider ideas to save money on behalf of

residents through new shared services arrangements and asked the resident to provide any information he has.

David Bock of 619 Greenwich Court, East Windsor, stated that Hightstown Council authorized five taxi companies and was concerned of their use of private parking lots as over-night parking spaces. Mayor Mironov requested Mr. Bock leave his contact information with the Township Manager.

Seeing no other comment, Matters By Public was closed.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Township Program of Appointing High School Students to Boards and Committees

Mayor Mironov stated this is a program the Township has participated in the past and opened this discussion item for comments from Council Members. Mr. Duke stated this was a great policy for students to learn how the Township and community operates. Mr. Lippman stated the amount of participation is indicative of how successful the program, and is in favor of continuing this program. Mr. Yeager stated this is a great deal for the Township to have energetic, smart people on the boards, and which is a benefit for everyone. Mr. Zoller stated the Environmental Commission has two students through this program and they provide key contributions. Deputy Mayor Shapiro stated this is also a win-win for students applying for college. The Mayor and Council agreed by unanimous consensus to continue the program.

2. East Windsor Clean-Up Day: Saturday, September 29, 2012

Mayor Mironov stated the highlight from 10 am to 12 noon will be a contest with giveaways provided for the most trash collected in Etra Lake Park. Mr. Duke asked about holding this township-wide. Mr. Rosenberg responded having this concentrated in one location will increase camaraderie. Mr. Zoller stated this is a good location to clean after the summer traffic. The Park is used so much that it can always use a cleaning. Groups currently participate in Adopt-A-Spot and in other locations as well. Mr. Rosenberg stated the friendly contest can increase participation and then would consider the possibility of extending this to other parks in town.

3. Restoration of Municipal Energy Tax Receipts

Mayor Mironov stated there was a forum held in Monmouth County during August and sponsored by a citizen's taxpayer group that addressed the State's diversion of these funds from taxpayers. She further mentioned that East Windsor Township was approached to host a forum regarding this topic and is open to participate with a possible date in October. Mr. Rosenberg stated this is an excellent opportunity to remind the state this will not go away.

There being no further business Mayor Mironov adjourned the meeting at 8:50 p.m.

Kathie Senior
Acting Municipal Clerk

Janice S. Mironov
Mayor