

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, January 22, 2013

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:45 p.m. on January 22, 2012.

Acting Municipal Clerk Kathie Senior certified that the meeting was noticed in the Annual Meeting Notice. Notice was sent to the Trenton Times, filed with the Municipal Clerk and posted in the East Windsor Township Municipal Building, on January 11, 2012. All requirements of the "Open Public Meetings Act" were satisfied.

Mr. Kelley led the flag salute.

Present were: Mayor Janice S. Mironov, Deputy Mayor Alan Rosenberg, and Council Members Hector Duke, Marc Lippman, Perry Shapiro, and John Zoller. Also present were James Brady Township Manager, Township Attorney David E. Orron

### **PRESENTATIONS & PROCLAMATIONS:**

Eagle Scout: Michael Brooks of Boy Scout Troop 59 (December 30, 2012)

Shalom Heritage Center 9<sup>th</sup> Annual Gala (January 27, 2013) Honoring:

Lita Diamond

Dominick and Deborah Gennello

Retirement of Township Manager Alan M. Fisher

### **INTERVIEWS FOR BOARDS AND COMMISSIONS:**

Mayor Mironov and Council Members interviewed Carl Woodward for a position on a Township Board or Commission. Mr. Woodward expressed an interest in Recreation Board but is open to other suggestions.

**PUBLIC FORUM:** None

### **MINUTES:**

November 27, 2012

It was MOVED by LIPPMAN and seconded by ZOLLER that the November 27, 2012 minutes be approved with revisions dated January 4, 2013.

ROLL CALL: Ayes – Duke, Lippman, Rosenberg, Zoller, Mironov

Nays – None

Abstain – Shapiro

There being five (5) ayes, no (0) nays and one (1) abstention, the November 27, 2012 minutes were approved with revisions dated January 4, 2013.

December 4, 2012

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

December 18, 2012

Mayor Mironov stated that the December 18, 2012 minutes will be rescheduled to February 5, 2013 meeting.

January 8, 2013 Reorganization Meeting

Mayor Mironov stated that the January 8, 2013 minutes will be rescheduled to February 5, 2013 meeting.

**RESOLUTIONS:**

**Resolution R2013-8**                      Approval of Professional Services Agreement with David E. Orron, Esq. for Township Attorney

The Acting Clerk read by title Resolution R2013-8.

Mayor Mironov stated that the appointment was done at the reorganization meeting. She indicated that this is the formal contract.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-8 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-8 was adopted.

**Resolution R2013-9**                      Approval of Professional Services Agreement with Richard T. Coppola for Township Planner

The Acting Clerk read by title Resolution R2013-9.

Mayor Mironov indicated that the term of the agreement should be listed in the resolution. A memo was distributed by Mayor Mironov, Deputy Mayor Rosenberg and Planning Board Chairperson Edward Kelley recommending approval. Mayor Mironov stated that the rate is the same as last year. Mr. Coppola has served the town for the past 15 years. The Township publicly solicited the contract through the fair and open process.

It was MOVED by SHAPIRO and seconded by ZOLLER that Resolution R2013-9 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-9 was adopted.

**Resolution R2013-10**            Approval of Professional Services Agreement with T & M Associates for Township Engineer

The Acting Clerk read by title Resolution R2013-10.

Mayor Mironov indicated that the term of the agreement should be listed in the resolution. A memo was distributed by Mayor Mironov, Deputy Mayor Rosenberg and Planning Board Chairperson Edward Kelley recommending approval. Mayor Mironov stated that the rate is the same as last year. The Township publicly solicited the contract through the fair and open process.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-10 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-10 was adopted.

**Resolution R2013-11**            Approval of Professional Services Agreement with Daniel Dobromilsky for Landscape Architect

The Acting Clerk read by title Resolution R2013-11.

Mayor Mironov indicated that the term of the agreement should be listed in the resolution. A memo was distributed by Mayor Mironov, Deputy Mayor Rosenberg and Planning Board Chairperson Edward Kelley recommending approval. The Township publicly solicited the contract through the fair and open process. Rate has remained unchanged from last year, these fees are paid almost exclusively from the developer escrow accounts.

It was MOVED by ZOLLER and seconded by LIPPMAN that Resolution R2013-11 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-11 was adopted.

**Resolution R2013-12**            Approval of Professional Services Agreement with McManimon, Scotland and Baumann for Township Bond Counsel

The Acting Clerk read by title Resolution R2013-12

Mayor Mironov stated that a memo was distributed from the Township Manager. She stated that proposals were solicited in conformance with the fair and open process.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2013-12 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-12 was adopted.

**Resolution R2013-13**            Approval of Agreement Appointing Township Manager

The Acting Clerk read by title Resolution R2013-13.

Mayor Mironov indicated that Council was provided with the finalized agreement.

It was MOVED by LIPPMAN and seconded by DUKE that Resolution R2013-13 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-13 was adopted.

**Resolution R2013-14**            Approval of Professional Services Agreement with Robert White for  
Pediatric Nurse Practitioner

The Acting Clerk read by title Resolution R2013-14.

Mayor Mironov stated that Council had a recommendation from the Health Department. Mayor Mironov noted it was the same individual as last year and that the rate is the same as last year. Township publicly solicited the contract through the fair and open process.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2013-14 be adopted.

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

There being six (6) ayes and no nays, Resolution R2012-36 was adopted.

**Resolution R2013-15**            Adoption of Mercer County All-Hazard Pre-Disaster Mitigation Planning  
Project

The Acting Clerk read by title Resolution R2013-15

Mayor Mironov stated this is a standard resolution that we are required to do. Mayor Mironov spoke with FEMA representative. There are some adjustments to the standard resolution that he was comfortable with.

It was MOVED by SHAPIRO and seconded by DUKE that Resolution R2013-15 be adopted.

Mayor Mironov advised the Clerk to see who the resolution should be distributed too, along with a letter drafted by Mayor.

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

There being six (6) ayes and no nays, Resolution R2013-15 was adopted.

**Resolution R2013-16**            Approval to Purchase Asphalt with Trap Rock Industries for the Public Works Department

The Acting Clerk read by title Resolution R2013-16.

Mayor Mironov stated that Council had a recommendation from the Director of Department of Public Works. Mayor Mironov stated that once or twice during the year the Council is asked to allocate funds for asphalt purchase in order to fill holes in our roads as needed to ensure safety.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2013-16 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-16 was adopted.

**Resolution R2013-17**            Approval of Repairs to Utility Vehicle with George's Garage & Towing Inc. for the East Windsor Volunteer Fire Company No. 2

The Acting Clerk read by title Resolution R2013-17.

Mayor Mironov Mayor indicated that Council may remember this from a prior time, and Mr. Shapiro had questions on it at that time. This equipment has been recycled to accomplish the same job with a lesser amount in light of the availability of the equipment from one of our other vehicles. Mayor Mironov indicated that the fifth paragraph, the certification of funds, needs to be corrected. The certification has one number the resolution has a different number. Mayor Mironov believes it should be 2-01-55-101-055, vote can be taken subject to that verification.

It was MOVED by SHAPIRO and seconded by ZOLLER that Resolution R2013-17 be adopted, subject to verification of account number.

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

There being six (6) ayes and no nays, Resolution R2013-17 was adopted, subject to verification of account number.

**Resolution R2013-18** Approval of Repairs to Dispatch Antennas with Communication Specialists, Inc. for the Police Department

The Acting Clerk read by title Resolution R2013-18.

Mayor Mironov stated that Council had a recommendation from the Police Chief. Mayor Mironov indicated that this is important and we need to proceed with it. Mayor Mironov further indicated that most all of the money is coming from non-township funds. Funds will be coming from the insurance claim. When we do have municipal funds that are being expended there should be a clear source of the funds. There is a title called "Communications Services", generally we would ask to have a run of that account to show us there is money or how much or alternatively at least the page from the budget workbook showing that amount was ever allocated. Generally one or both of those are appropriate when we are expending money.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2013-18 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-18 was adopted.

**Resolution R2013-19** Closed Session (Collective Bargaining: Teamsters Local Union 469; Communication Workers of America Local 1032; Teamsters Local Union 676; Policemen's Benevolent Association Local 191; Superior Officers' Local 191) (Personnel) (Attorney-Client Privilege)

The Acting Clerk read by title Resolution R2013-19.

It was MOVED by DUKE and seconded by LIPPMAN that Resolution R2013-19 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-19 was adopted.

#### **APPLICATIONS:**

**Raffle License RL:370** East Windsor Volunteer Fire Co #2 – February 23, 2013 at the East Windsor Fire Co #2 ,69 Twin Rivers Dr, East Windsor, NJ 08520, Instant Raffles & 50/50

Mayor Mironov asked if the application was in order. Mr. Orron stated he had reviewed the application and found it was in order.

It was MOVED by ROSENBERG and seconded by DUKE that Raffle License RL:370 be approved.

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

There being six (6) ayes and no nays, Raffle License RL:370 was approved.

**REPORTS BY COUNCIL AND STAFF:**

Mr. Duke indicated that Health Advisory Board met and they spoke about the potential garden that they are planning and looking forward to bringing it to Council.

Mr. Zoller stated that the Environmental Commission met on January 16, for reorganization, Chairman Balint was elected once again, Vice Chair, Ed Kelley was elected for another term as well. New members were also welcomed. The minutes of the meeting were distributed to the members.

Mayor Mironov stated the Economic Development Committee met on January 10, they are working on a new marketing brochure, also exploring the notion of doing an event with the Princeton Chamber in the first third of this year. The Mayor stated they had a discussion on other types of events that we might want to sponsor during the course of this year.

Mayor Mironov indicated that the Clean Communities Committee met on December 27, they discussed the Adopt-A-Spot wrap-up event, which is scheduled this week. They also discussed possible dates and locations for recycling days and also partnering or providing to one of the elementary schools an education program.

Mr. Zoller attended a workshop with the League of Municipalities on January 12, title was Orientation for Municipal Officials, it was a very good day long session, with some of the more notable professionals in the Municipal Government making presentations. He highly recommends it to all Council. Mayor Mironov stated good for him and these are good opportunities. Mr. Zoller stated he appreciated the opportunity to attend.

**CORRESPONDENCE:**

Mayor Mironov stated she will do correspondence when she does other matters.

**APPOINTMENTS:**

**Resolution R2013-20**            Appointment of Member to East Windsor Municipal Utilities Authority

Mayor Mironov asked that someone make a motion to approve the resolution with the insertion of Leonard P. Millner for a term expiring 2018.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2013-20 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-20 was adopted.

**Resolution R2013-21**          Appointment of Alternate No. 1 Member to East Windsor Municipal  
Utilities Authority

Mayor Mironov asked that someone make a motion to approve the resolution with the insertion for reappointment William Lawler.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2013-21 be adopted.

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

There being six (6) ayes and no nays, Resolution R2013-21 was adopted.

2013 Local Emergency Management Planning Committee

Mayor Mironov appointed pursuant to the Section 2-21 of Township Ordinances, appointments effective through January 31, 2014: Mayor Mironov, Township Manager James Brady; Chief of Police James Monahan;; Lieutenant Todd Hoagland; Lieutenant Richard Bernstein; Lieutenant Harry Marshall; Lieutenant James Geary; Public Works Director William Askenstedt; Health Inspector Lorna Bonorand; Sergeant Chris Jackson; Sergeant Scott Holtzclaw; East Windsor Municipal Utilities Executive Authority Director Richard Brand and Construction Official Roman Petuniak.

**APPROVAL OF BILLS:**

Mayor Mironov indicated that there is a one page vouchers payment list, this is a conditional vote, the motion should be conditional upon their compliance with all of the guidelines of the program and the submission of a final report. This is for the vouchers dated January 22, 2013. This is all money out of the Clean Communities grant\_account.

It was MOVED by LIPPMAN and seconded by ROSENBERG that the voucher payment list be approved, with conditions.

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

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

**MATTERS BY COUNCIL:**

Mayor Mironov stated received a card from Dina Jeffers. Mayor also indicated that information was provided on the question raised about bottled water, but the Mayor still has questions on that bill and those payments in general. Also there is a report from Tax Collector for the period ending December 31,



2012, annual report from 2012 from the Planning Board, annual report for 2012 from the Zoning Board, a letter from T & M regarding annual update of the infrastructure improvement fund, a letter from Commissioner of the Department of Community Affairs awarding the town a \$200,000.00 community development block grant for our housing rehabilitation program. Mayor noted that more detailed information regarding that will be put out very shortly and will be on the next agenda. There is a letter dated January 14, 2013 from Senator Turner acknowledging receipt of our resolution with respect to the JCP&L response. We have a letter from Senator Linda Greenstein dated December 19, 2012 with respect to Resolution 2012-219 regarding special occasion event on preserved farmland.

We also have a letter that the Mayor has shared from the NJ Turnpike Authority with respect to the opening of the new interchange toll plaza, we have this morning both an e-news and a press release regarding that subject since the new East Windsor interchange toll plaza is slated to open by the end of this week. Mayor indicated that the opening will begin as a phased process work will start tonight, some of the exiting traffic from the Turnpike will in fact use it after midnight tonight and then by Saturday by early morning, post midnight, the interchange will be total opening for traffic entering or exiting the Turnpike. Most important for our residents and area folk is that as of Thursday morning, post midnight, vehicle that are looking to use the Turnpike must do so at the new toll plaza access. There is signage directing people appropriately, that is important because if you are getting off the Turnpike you will really have not choice of where you go. This will exit you at the new toll plaza, however when you go to get on the Turnpike you will now need to get on at the new access to the east of the Turnpike. We have an alert on our website along with an e-new and a press release to all various media so everyone is aware of it. For reasons beyond the Mayors comprehension, the Turnpike and the State have determined to do no ceremony or action and to put out no information. This is a pretty big deal that this is being opened. We did know the new interchange was going to open in advance of the project being completed. The full Turnpike widening project is still on schedule to be completed mid 2014. One other thing the Mayor added that is important, the relocation of the interchange east of the Turnpike was done as part of the reconfiguration that will provide direct access between the Turnpike and Route 133. However, the bridge that it to provide that direct access is still under construction and is slated to be completed at some point in the spring. There are traffic signals that have been erected and will be temporarily lights and signs so that vehicles that are existing the Turnpike and want to go onto Route 133 will actually have to stop at the light, and same for reverse. The Turnpike has assured Mayor, as she raised the question and concern regarding backups, they have done traffic counts and this will work very well. The Turnpike upgrades will be a tremendous plus for the town. There will be a new 10 lane toll plaza, modern state of the art. Currently there are 4 lanes that are not always open, so this will provide for much extended capacity and facility the ability to get on and off the Turnpike in the meanwhile.

Mayor Mironov stated as a reminder the food drive continues through the end of the month for the benefit of R.I.S.E. and the pantry at St. Anthony's.

**MATTERS BY PUBLIC: None**

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

1. Amendments to Township Escrow Ordinance

**Ordinance No. 2013-01** An Ordinance to Amend Chapter XX, Section 32 of the Revised General Ordinances of the Township of East Windsor for the Purposes of Amending Escrow Deposits and Application Fees.

Mayor Mironov stated that this ordinance generated from the discussion that we had required among staff. They have obtained a number of ordinances from other communities and came up with a model that would update our ordinance appropriately and ensure that we would have proper developer deposits when applications were filed and being heard.

Mr. Shapiro stated the amounts were increased and it's clear when the money has to be deposited and when the deposit must be made to get a completeness review. Mr. Shapiro supports this.

Mr. Lippman stated that it brings the deposits up to current economic times, which is really important right now, which is going to help us.

Mayor Mironov stated we need a motion (which in the future will be listed on the agenda) to adopt Ordinance 2013-01 on introduction and set a public hearing date for February 19, 2013.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Ordinance 2013-01 be adopted on introduction and set a public hearing date for February 19, 2013.

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

There being six (6) ayes and no nays, Ordinance 2013-01 was adopted on introduction and set a public hearing date for February 19, 2013..

2. 2012 Kelly Bill Reimbursements

Mayor Mironov stated that Council has material from the Public Works Director, Mayor asked him to just provide Council with breakdowns for 2012 and 2011 and one sample letter and agreement, that also shows the formula. They are reimbursements for the prior year. If there are no questions, then the Public Works department is empowered to send them out, get them signed and returned. We have included the in temporary budget all of these monies.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Public Works can proceed.

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

There being six (6) ayes and no nays, for Public Works to proceed.

There being no further business Mayor Mironov adjourned the meeting at 8:45 p.m.

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Kathie Senior  
Acting Municipal Clerk

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Janice S. Mironov  
Mayor