

## **EAST WINDSOR TOWNSHIP COUNCIL**

May 7, 2013

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on May 7, 2013.

Assistant Township Manager, Eric Schubiger 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 14, 2013. All requirements of the "Open Public Meetings Act" were satisfied.

Council Member Peter Yeager led the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Hector Duke, Alan Rosenberg, Peter Yeager and John Zoller. Also present were Township Manager James P. Brady, Township Attorney David E. Orron and Assistant Town Manager Eric Schubiger

Absent were: Marc Lippman, Perry Shapiro

### **PRESENTATIONS & PROCLAMATIONS:**

#### **2012 East Windsor Township Business Awards**

Mayor Mironov presented the 2012 Business Awards of the Year to Michael Baskin for PakMail, George Vardakis for Dairy Queen and Bhadresh Patel for Moes Southwest Grill. Mayor recognized all three of the small local businesses and presented each business with a 2012 Business Award plaque.

**Eagle Scout: Chris Bruno of Boy Scout Troop 5700 (May 19, 2013)**

**Eagle Scout: Mitchell Nicklaus of Boy Scout Troop 5700 (May 19, 2013)**

Mayor Mironov announced the Eagle Scout Court of Honor will be held on May 19, 2013.

**INTERVIEWS FOR BOARDS AND COMMISSIONS: NONE**

### **PUBLIC FORUM:**

Anna Lustenberg, Old Stone Mill Drive, East Windsor, stated the sink holes on Old Trenton Road have been filled. Ms. Lustenberg stated she knows that West Windsor is having a public hearing on June 5<sup>th</sup>, 2013 regarding work/repaving Route 535 by 536 Intersection and wanted to see if East Windsor could get included with the repaving.

Mayor Mironov stated she was aware of issues and in touch with County but requested Township Manager to follow-up with the Director of Public Works, Mr. Askenstedt for an update regarding of this roadway work since this is a county issue.

Stephanie Coutros residing in Freehold, NJ spoke regarding an event that is being held for The American Cancer Society called Relay for Life. She invited all residents of East Windsor to attend the over night event promoting "Cancer doesn't sleep, so neither do we" to celebrate all who have cancer or has lost loves ones from cancer. Ms. Coutros provided flyers for the June 8<sup>th</sup>- 9<sup>th</sup> event stating all proceeds go to the American Cancer Society. Mayor Mironov stated the flyers would be distributed.

Don Dzarn, Jamestown Road, East Windsor spoke about red light cameras and about his experience in an OPRA request for closed session Council minutes. Mayor Mironov thanked Mr. Dzarn for his comments.

Sean O'Connor, Hickory Corner Road, East Windsor spoke about debt, lack of transparency, corporate welfare and the wrong priorities. Sean O'Connor inquired about resolution 2013-170, new laptop purchase. Mayor Mironov stated the laptop purchase, resolution 2013-70, was for clerk's office because the prior 2004 equipment was inoperatable, the purchase was under \$2,000.00 and was needed as a back-up system for planning and zoning as well as the clerk's office.

Mayor Janice Mironov asked if there was any additional comment from the public, as no additional public comment was made, the public comment was closed.

#### **MINUTES:**

##### January 22, 2013

It was MOVED by Rosenberg and seconded by ZOLLER that the January 22, 2013 minutes be approved with revisions dated April 29, 2013.

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

Nays – None

Abstains- Yeager

There being four (4) ayes, no (0) nays and one (1) abstention, the January 22, 2013 minutes were approved with revisions dated April 29, 2013.

##### February 5, 2013

It was MOVED by YEAGER and seconded by DUKE that the February 5, 2013 minutes be approved.

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

Nays – None

There being five (5) ayes, no (0) nays and no (0) abstentions, the February 5, 2013 minutes were approved.

February 19, 2013

It was MOVED by DUKE and seconded by ROSENBERG that the February 19, 2013 minutes be approved with revisions dated April 29, 2013.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, the February 19, 2013 minutes were approved with revisions dated April 29, 2013.

February 26, 2013 Special Meeting – Budget Session

Mayor Mironov stated that the February 26, 2013 Special Meeting – Budget Session minutes will be rescheduled.

March 5, 2013 Special Meeting – Budget Session

Mayor Mironov stated that the March 5, 2013 Special Meeting – Budget Session minutes will be rescheduled.

March 19, 2013

Mayor Mironov stated that the March 19, 2013 minutes will be held until questions are answered.

April 2, 2013

Mayor Mironov stated that the April 2, 2013 minutes will be rescheduled.

April 16, 2013

Mayor Mironov stated that the April 16, 2013 minutes will be rescheduled.

**RESOLUTIONS:**

**Resolution R2013-68                      Authorizing Approval of Replacement of Water Cooled  
Air Conditioner at the East Windsor Police Department  
with RHR Mechanical Contractors, Inc.**

The Assistant Township Manager read by title Resolution R2013-68

Mayor Mironov stated the information and what occurred and the need for replacement was provided by Chief Monahan.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-68 be approved.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, Resolution R2013-68 was approved.

**Resolution R2013-69                    Authorizing Approval of Repairs to Sanitation Truck S-4 for the Public Works Department with Norcia Equipment**

The Assistant Township Manager read by title Resolution R2013-69

Mayor Mironov stated comments and a recommendation from the Public Works Director regarding the truck and repairs that are necessary to operate.

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2013-69 be approved.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, Resolution R2013-69 was approved.

**Resolution R2013-70                    Authorizing Approval of Purchase of Laptop for the Municipal Clerk's Office and the Planning/Zoning Office with Office Business Systems, Inc.**

The Assistant Township Manager read by title Resolution R2013-70

Mayor Mironov explained the need for the equipment during the public forum.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-70 be approved.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, Resolution R2013-70 was approved.

**Resolution R2013-71                    Approval of Agreement with Georgetown Condominium Association for Reimbursement for Private Community Services for 2012.**

The Assistant Township Manager read by title Resolution R2013-71.

Mayor Mironov stated under State Kelly Bill reimbursement is required. Council reviewed numbers back in January and again during budget process.

It was MOVED by ZOLLER and seconded by YEAGER that Resolution R2013-71 be approved.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, Resolution R2013-71 was approved.

**Resolution R2013-72                      Action on Request for Release of Performance  
Guarantees for Toll Brothers, Inc.- Rivera at East  
Windsor- off Site Improvements.**

The Assistant Township Manager read by title Resolution R2013-72.

Mayor Mironov noted is request for performance bond release, a report was received from the engineer of his inspection dated April 11, 2013 attached to and incorporated into the Resolution which recommends the denial of the request.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-72 be approved.

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

There being four (4) ayes, no (0) nays and one (1) abstentions, Resolution R2013-72 was approved.

**Resolution R2013-73                      Action on Request for Release of Performance  
Guarantees for Toll Brothers, Inc. - Riviera at East  
Windsor- Phase 3 (Clubhouse)**

The Assistant Township Manager read by title Resolution R2013-73.

Mayor Mironov noted is request for a performance bond release and there is the Engineer's inspection report dated April 11, 2013 attached to and incorporated into the Resolution indicating a recommendation for denial.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-73 be approved.

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

There being four (4) ayes, no (0) nays and one (1) abstentions, Resolution R2013-73 was approved.

**APPLICATIONS: None**

**REPORTS BY COUNCIL AND STAFF:**

Mr. Rosenberg stated that Clean Communities committee met on April 25, 2013, and Adopt-A-Spot was proceeding. Mr. Rosenberg further noted that Recycling Day was April 20 at The Home Depot and was a success. He also stated they are looking for businesses to get certificates of recognition.

Mr. Rosenberg stated that East Windsor Commission on Aging met on April 25. They are moving forward with senior directory; copies will be given soon to Council for review.

Mayor Mironov commented on Recycling Day and what a great success it was this year. Many donations were given and the Mayor gave thanks to Chairperson Barry Fliegelman, and Council Member Zoller she especially thanked Council Member Yeager.

Mr. Zoller stated that the Environmental Commission met on April 17, topics were the Community Forestry Management Plan, Arbor Day seedling give away on May 4 at the Pal Field and The Stonybrook Mill Watershed Clean-up on April 13, all of which had good attendance and success.

Mayor Mironov stated that Economic Development Committee met on May 2 and discussed the promotional brochure and National Night Out events for businesses in the community.

Mayor Mironov stated The Stonybrook Mill Watershed Clean-up was a great success and East Windsor received a progress report that sixty-two people attended and picked up 522 lbs of trash.

Mayor Mironov stated the medicine drop-off was the biggest drop-off that East Windsor Township has had since the beginning of the program.

**APPOINTMENTS:**

Mayor Mironov asked Council to reappoint Planning Board member, Walter Schmidlin and his term expires on December 31, 2014.

It was MOVED by DUKE and seconded by YEAGER that Walter Schmidlin be reappointed to the term expiring December 31, 2014.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, Walter Schmidlin is reappointed.

Mayor Mironov appointed Jennifer Hoagland, the Executive Director of Next Level Youth, to the East Windsor Alliance. A letter is needed for her appointment.

**APPROVAL OF BILLS:**

2013 Current Bill List and 2012 current bill list both dated May 2, 2013 and one page capital bill list and other miscellaneous trust fund bills. Mayor Mironov asked about bills on Page 5 and 6 and stated she will not pull if she can get an idea of currently anticipated training expenses for the Police Department. On page 16, hold bill until the question is answered and page 16 in middle of page pull \$180.00 to find out who is paying this bill, us or person who is coming into court.

It was MOVED by DUKE and seconded by ZOLLER that the bills be approved with the exception to the ones that were pulled.

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

There being five (5) ayes, no (0) nays and no (0) abstentions, the bills were approved with the exception to the ones that were pulled.

**MATTERS BY COUNCIL:**

Mayor Mironov stated a Memo from Public Works was received regarding closure portions of Etra and Milford Road for the turnpike project. Mayor also stated letters were received from Mercer County regarding load limits on various bridges and culverts. An article on tax appeals was circulated.

**MATTERS BY PUBLIC:**

Don Dzarn questioned why the meetings are not televised. Mayor Mironov stated she would look into it. Mr Dzarn stated he has known the Mayor for a long time and believes she does a lot of good things and has nothing to hide.

Sean O'Connor stated that the Mayor is rude due to her not responding to his questions regarding the closed session meetings.

Mayor Janice Mironov asked if there was any additional comment from the public, no additional public comment was made, public forum was closed.

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

### **1. Route 130/Hankins Road/Conover Road Intersection Improvements**

Mayor Mironov discussed the idea of the project is to address safety and operational issues at that intersection of Conover Road with Hankins Road and Route 130.

Mayor Mironov had discussions with the Department of Environmental Protection, Department of Transportation and retained an Engineer to get their feedback about the project and any issues they may have, which was paid for by developer's monies to underwrite all the costs. The meeting with DOT approved the initial concept for the plan and found it workable. The DEP issued a wet land letter of interpretation, so a more detailed engineering plan could be developed for the intersection. The engineer continued and we have fully reconstructed engineering plans, filed a street intersection permit and filed with the DEP a wetlands permit.

The Mayor stated she has had communications and a meeting with Robbinsville Township to maintain communications with them throughout the project to insure their input and support, since Hankins is the dividing street between the two Townships. Robbinsville is supportive of the concept and they are willing to contribute to the project.

Mayor Mironov also met with the commissioner of the DOT and they assured us they will expedite the access permit to the DOT, which has been filed and will get quick and immediate attention. At this point going forward, there is some parcels of right of way but these are the primary actions that are needed in order to move the project forward and get to a point to get the necessary permits, sign-offs and approvals.

Mr. Rosenberg agrees that the project is a great idea and looks forward to proceeding on the project in order to move forward and bid the project.

Mr. Yeager stated it is a great plan and makes a lot of safety improvements to that area.

The Mayor wanted to share this publicly to get any further comments or questions with respect to the project and to ascertain that the process will continue to move forward. She also gets many calls and stopped on the street from residents regarding this area for which there is great concern how traffic flows there and feeling safety could be enhanced in that area and feels this is a positive proposal to achieve those goals.



Mr. Rosenberg feels we would absolutely proceed with this and he also commends the Mayor and the professionals involved. He feels this is something that has been worked on for along time and it is good to have another community involved and on board with this project and the timeline is reasonable and is all in favor of the decision.

Mr. Yeager feels the plan looks great, is a good change, will make a lot of safety improvements to that area and is a good move and feels we should proceed.

Mr. Duke feels it is well over due on the state level and agrees with everything members have said regarding the project.

Mr. Zoller believes it gives this area a more modern design and is exactly what we wanted for the area and reflects new development in that part of town.

Mayor Mironov stated she would keep everyone posted as we move along.

## **2. 2013 Roadway Projects**

Mayor Mironov discussed roadways that need improvements and their timelines. East Windsor Township received confirmation of two grant awards that were received. The first award for \$249,000 is for improvements to Yorkshire Drive, which is deteriorated and the main road for transportation to our middle school, which is in much need of improvements. The Mayor also expressed that Conover Road is also in need of improvements and she would also like for this road to be done. Mayor also stated we may be able to get some cooperation from Mercer County on this project in order to make it more cost effective. Mr. Duke also agreed that Conover should be fixed due to the deterioration. Mr. Rosenberg also agreed that the roadway is heavily trafficked and is being used more and it is a good idea. Mr. Yeager stated as far as priorities he also believes Conover Road should be the next roadway to be fixed.

Next Meeting: Tuesday, May 21, 2013 at 7:30pm

There being no further business Mayor Mironov adjourned the meeting at 8:44 p.m.

---

Kathie Senior  
Deputy Municipal Clerk

---

Janice S. Mironov  
Mayor