

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, February 2, 2010

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on February 2, 2010.

Municipal Clerk Cindy A. Dye 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, all on January 5, 2010. All requirements of the "Open Public Meetings Act" were satisfied.

Present were: Mayor Janice S. Mironov, Deputy Mayor Marc Lippman, and Council Members Hector Duke, Marc Lippman, Alan Rosenberg, Perry Shapiro, and Marsha Weinstein. Also present were Alan M. Fisher, Township Manager, Township Attorney David E. Orron and Municipal Clerk Cindy A. Dye. Council Member Walter T. Daniels, Jr., was absent.

**PRESENTATIONS & PROCLAMATIONS:** None

**PUBLIC FORUM:** None

**INTERVIEWS FOR BOARDS AND COMMISSIONS:** None

### **MINUTES:**

October 20, 2009

Mayor Mironov stated that minutes were revised January 28, 2010.

It was MOVED by DUKE and seconded by ROSENBERG that the minutes of October 20, 2009 be approved with changes.

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

There being six (6) ayes and no nays, the October 20, 2009 minutes were approved with changes.

January 12, 2010 (Closed Session)

It was MOVED by ROSENBERG and seconded by DUKE that the minutes of January 12, 2010 (Closed Session) be approved.

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

There being five (5) ayes and no nays, the January 12, 2010 (Closed Session) minutes were approved.

Mayor Mironov stated that the November 16, 2009, December 1, 2009, December 15, 2009, January 1, 2010, January 12, 2010, January 26, 2010, and January 26, 2010 (Closed Session) minutes would be rescheduled.

**RESOLUTIONS:**

**Resolution R2010-12**            Action on Request for Release of Performance Guarantees for  
Presbyterian Homes at Meadow Lakes

The Township Clerk read by title Resolution R2010-12.

Mayor Mironov noted that this was carried from the January 12 meeting as there had been a recent amended site plan approval. She asked Mr. Orron if a minor site plan amendment necessitated the applicant going through the whole process again, or if the amendment could be incorporated under the initial performance guarantee and developers agreement.

Mr. Orron stated often, when there is an amended site plan, some of the work has already been done and the performance guarantee being held is sufficient to incorporate the additional work associated with the amendment. He stated another agreement is not necessary, and that the Township could request an amendment to the bond if necessary.

Mayor Mironov stated the bond would be sufficient if the bond is not released.

Mr. Orron stated that the bond only covers the work specified in the original estimate unless modified.

Mayor Mironov stated she wanted confirmation that the applicant has accepted a performance guarantee since Council will not have record of it.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2010-12 be adopted.

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

There being six (6) ayes and no nays, Resolution R2009-12 was adopted.

**Resolution R2010-28**            Action on Request for Release of Performance Guarantees for  
Knowledge Learning Corporation

The Township Clerk read by title Resolution R2010-28.

Mayor Mironov stated that there was a report from the Township Engineer dated January 28. She noted it is a denial.

It was MOVED by DUKE and seconded by WEINSTEIN that Resolution R2010-28 be adopted.

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

There being six (6) ayes and no nays, Resolution R2009-28 was adopted.

**Resolution R2010-29**            Action on Contract Extension Request by Precise Construction for  
the Construction of New Softball and Multipurpose Fields on  
Disbrow Hill Road

The Township Clerk read by title Resolution R2010-29.

Mayor Mironov stated there was a memorandum from the Township Manager. She stated she would only approve the resolution only on condition of receiving a recommendation from the Public Works Director.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Resolution R2010-29 be adopted.

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

There being six (6) ayes and no nays, Resolution R2009-29 was adopted.

**Resolution R2010-30**            Closed Session (Collective Bargaining: Teamsters Local Union  
676; Communication Workers of America Local 1032; Superior  
Officers Local 191; Policemen’s Benevolent Association Local  
191; Teamsters Local Union 469) (Personnel)

The Township Clerk read by title Resolution R2010-30.

It was MOVED by SHAPIRO and seconded by DUKE that Resolution R2010-30 be adopted.

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

There being six (6) ayes and no nays, Resolution R2009-30 was adopted.

**APPLICATIONS:**

**Raffle License RL:342**            East Windsor Police Athletic League, 50/50 On Premise, March  
30, 2010, 140 Dutch Neck Road

**Raffle License RL:343** East Windsor Police Athletic League, 50/50 On Premise, April 30, 2010, 140 Dutch Neck Road

**Raffle License RL:344** East Windsor Police Athletic League, 50/50 On Premise, May 15, 2010, 30 Airport Road

Mayor Mironov asked Ms. Dye and Mr. Orron if all of the applications were in order.

Ms. Dye and Mr. Orron stated they were.

It was MOVED by ROSENBERG and seconded by DUKE that Raffle Licenses RL:342, RL:343, and 344 be approved.

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

There being six (6) ayes and no nays, Raffle Licenses RL:342, RL:343, and RL:344 were approved.

**REPORTS BY COUNCIL AND STAFF:**

Ms. Weinstein stated that the Health Advisory Board met during the past week and re-elected their previous chairperson, Andrew Greene.

Mayor Mironov stated that the Clean Communities Committee held a wrap-up meeting the previous Thursday. She noted about 125 scouts attended and that various gifts donated by local businesses were given out.

**CORRESPONDENCE:** None

**APPOINTMENTS:**

Mayor Mironov stated she would be making recommendations for appointments to boards and committees at the next meeting.

**MATTERS BY COUNCIL:**

Mayor Mironov stated the holiday food drive has been extended to the middle of February and reminded Council to hold February 23, 25, and 27 open.

Mayor Mironov stated that on February 1 she attended the initial hearing of the State Senate Economic Growth Committee on S-1, which is a proposal to revamp the state affordable housing program. She stated that she testified on behalf of the League and the Township, as did others. She stated that the Committee might vote in March. She noted that the bill, sponsored by Senator Ray Lesniak, is far-reaching and has some good concepts, and the bill would allow consideration for approval of RCA agreements that had already begun as of July 28, 2009 under terms agreed to by the towns.

**MATTERS BY PUBLIC:** None

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

1. New Jersey Turnpike Authority: East Windsor Public Works Facility (Tentative)

Mayor Mironov stated that she had listed the matter as tentative as it was not clear if they would have the necessary materials. She noted Council had a letter explaining the 4 color (beige, blue, green, and other) display boards. She stated that Council needed to determine architecture based on the materials from the previous meeting and to determine colors for the roof, siding, and foundation. She stated that the Turnpike Authority indicated that once they have color selections, they will then present to Council a full color rendering for final approval.

Council agreed on the Option A rendering for the building architecture along with the blue coloring, and the matching roofing material and brick and presented by the New Jersey Turnpike Authority.

2. Lease of Farmland

**Resolution R2010-31**

Authorizing Bidding for Lease of Farmland along One Mile Road (Block 6.06, Lot 2)

Mayor Mironov stated there was on page 2, paragraph 4(c), it should read 18 acres, not 12. She stated on page 2, it stated that the Township reserved the right to reject all bids. She asked if this was explained anywhere in the documents being distributed to the public, and noted it should be.

Mr. Orron stated a copy of the resolution would be included in the package being distributed.

It was MOVED by SHAPIRO and seconded by WEINSTEIN that Resolution R2010-31 be adopted with changes.

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

There being six (6) ayes and no nays, Resolution R2010-31 was adopted with changes.

**Resolution R2010-32**

Authorizing Bidding for Lease of Farmland along Dutch Neck Road (Block 71.01, Lot 48)

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2010-32 be adopted.

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

There being six (6) ayes and no nays, Resolution R2010-32 was adopted.

3. Citizen Service Act

Mayor Mironov stated she distributed a memorandum. Attached is a copy of Assembly Bill 2784, which sets out new requirements regarding volunteer forms, oaths, record-keeping, etc. She stated it was on the agenda so that the Clerk could confirm that the Township is in compliance, which the Clerk did in a memorandum.

4. Gun Safety Program

Mayor Mironov stated that Council had materials proposing a gun safety program and a gun lock distribution program in March. She stated the Township already had the gun locks, which were obtained free of charge. These would be distributed through the police department.

Council agreed the program should be held.

5. 2010 Municipal Budget: Status and Review Schedule

Mayor Mironov stated that a spending plan was already in effect as of January 1 as discussed at prior meetings. She stated Township Staff was given a calendar for the budget, and noted that the process would start moving that month.

There being no further business Mayor Mironov adjourned the meeting at 8:43 p.m.

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Cindy A. Dye  
Municipal Clerk

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Janice S. Mironov  
Mayor