

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, October 5, 2010

8:00 p.m.

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on October 5, 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.

East Windsor Volunteer Fire Company No. 2 Fire Fighter of the Year Joshua Matrorin led the flag salute.

Present were: Mayor Janice S. Mironov, Deputy Mayor Marc Lippman, and Council Members Walter T. Daniels, Jr., 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 Hector Duke was absent.

PRESENTATIONS & PROCLAMATIONS:

Fire Prevention Week - - October 3 to 9, 2010

Recognizing East Windsor Volunteer Fire Company No. 1
Firefighter of the Year Joshua Matorin

Recognizing East Windsor Volunteer Fire Company No. 2
Firefighters of the Year Marcin Cymek and Michael Trivisonno, Jr.

Mayor Mironov read and presented a proclamation in recognition of Fire Prevention Week – October 3to 9, 2010, recognizing East Windsor Volunteer Fire Company No. 1 Firefighter of the Year Joshua Matrorin. Mayor Mironov announced that the presentation to East Windsor Volunteer Fire Company No. 2 Firefighters of the Year Marcin Cymek and Michael Trivisonno, Jr. will be rescheduled to October 19, 2010.

National Hispanic Heritage Month - - October 2010

Mayor Mironov announced that the presentation for National Hispanic Heritage Month – October 2010 will be rescheduled for October 19, 2010.

Hightstown High School Athletic Hall of Fame Inductee (October 15, 2010)

Ken Eiker
Barbara Muse
Jim Contiliano
Rick Contiliano
Phil Renaud
1975 Varsity Football Team

Mayor Mironov announced that this presentation will be done at an outside event.

PUBLIC FORUM: None

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Mayor Mironov and Council Members interviewed Angela Fernando for a student member position on a Township Board or Commission. Angela expressed an interested in the Environmental Commission and the Recreation Commission.

MINUTES:

March 2, 2010

It was MOVED by DANIELS and seconded by ROSENBERG that the minutes of March 2, 2010 with revisions dated September 27, 2010 be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the March 2, 1010 minutes with revisions dated September 27, 2010 were approved.

March 16, 2010

It was MOVED by DANIELS and seconded by ROSENBERG that the minutes of March 16, 2010 with revisions dated September 28, 2010 be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the March 16, 1010 minutes with revisions dated September 28, 2010 were approved.

March 25, 2010

It was MOVED by ROSENBERG and seconded by DANIELS that the minutes of March 25, 2010 with revisions dated September 27, 2010 be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the March 25, 1010 minutes with revisions dated September 27, 2010 were approved.

June 15, 2010

It was MOVED by LIPPMAN and seconded by WEINSTEIN that the minutes of June 15, 2010 with revisions dated September 27, 2010 be approved.

ROLL CALL: Ayes - Lippman, Rosenberg, Weinstein, Mironov
Nays – None
Abstain - Daniels

There being four (4) ayes, no nays and one (1) abstention, the June 15, 1010 minutes with revisions dated September 27, 2010 were approved.

July 6, 2010

It was MOVED by WEINSTEIN and seconded by DANIELS that the minutes of July 6, 2010 with revisions dated September 28, 2010 be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the July 6, 1010 minutes with revisions dated September 28, 2010 were approved.

July 20, 2010

It was MOVED by LIPPMAN and seconded by ROSENBERG that the minutes of July 20, 2010 with revisions dated September 28, 2010 be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the July 20, 1010 minutes with revisions dated September 28, 2010 were approved.

September 21, 2010 (Closed Session)

It was MOVED by LIPPMAN and seconded by ROSENBERG that the minutes of September 21, 2010 (Closed Session) be approved.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays – None

There being five (5) ayes and no nays, the September 21, 2010 (Closed Session) minutes were approved.

Mayor Mironov requested that the February 16, 2010, August 3, 2010 and September 7, 2010 be rescheduled. She requested that the September 21, 2010 be held.

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2010-10 An Ordinance to Authorize the Acquisition of Open Space, of Approximately 29.9 Acre Site, Located on Disbrow Hill Road, and Designated on the East Windsor Township Tax Map as Block 32, Lot 6

The Township Clerk read by title Ordinance No. 2010-10.

Mayor Mironov indicated that the ordinance was introduced on September 7, 2010. Mayor Mironov opened the meeting to the public. There being no public comment, Mayor Mironov closed the public hearing.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Ordinance 2010-10 be adopted with authorization to publish as required by law.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays - None

There being five (5) ayes and no nays, Ordinance 2010-10, was adopted with authorization to publish as required by law.

RESOLUTIONS:

Resolution R2010-181 Resolution Endorsing the Final Application Submission to the New Jersey Department of Environmental Protection Green Acres Program for the Diversion of Certain Parkland in Connection with the New Jersey Turnpike Authority's Exit 6 to Exit 9 Widening Program

The Township Clerk read by title Resolution R2010-181.

Mayor Mironov indicated that there was a corrected resolution in Council folders. This is an endorsement of the diversion of our parkland by the New Jersey Turnpike Authority. The application needs approval by the NJDEP and the State House Commission. It is conditioned upon the resolution of a number of subjects which are important to the Township. If a resolution to the subjects provided for in the resolution including the reforestation and funding is not provided within the two weeks and/or the other agreements that we have reached are not fulfilled, this resolution will become null and void. Mercer County also passed a resolution and made it conditioned upon adoption of our resolution and satisfaction of all of the conditions therein.

It was MOVED by DANIELS and seconded by LIPPMAN that Resolution R2010-181 be adopted.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays – None

There being five (5) ayes and no nays, Resolution R2010-181 be adopted.

Resolution R2010-196 Authorizing Execution of Global Agreement Among the New Jersey Turnpike Authority, the Township of East Windsor and the East Windsor Municipal Utilities Authority

The Township Clerk read by title Resolution R2010-196.

Mayor Mironov indicated that there is a revised resolution in Council's folders. Mayor Mironov requested that the following paragraph be added to the resolution. "**WHEREAS**, the New Jersey Turnpike Authority has represented and agreed to pay to the Township of East Windsor within forty-five (45) days of the receipt of this executed agreement the additional compensation provided for in section 6.01."

Mayor Mironov indicated that this agreement is separate from the reforestation. The parties are working on identifying a resolution regarding the reforestation.

Mayor Mironov reviewed the various sections of the Global Agreement with the Council. Mayor Mironov indicated that the Township has a good working relationship with the New Jersey Turnpike Authority regarding discussions.

It was MOVED by DANIELS and seconded by LIPPMAN that Resolution R2010-196 be adopted as revised.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays - None

There being five (5) ayes and no nays, Resolution R2010-196 be adopted as revised.

Mayor Mironov directed that a letter be drafted from her to the East Windsor Municipal Utilities Authority requesting execution of the agreement. She also directed that a letter be drafted for her to the New Jersey Turnpike Authority.

Resolution R2010-197 Authorizing Execution of Agreement with Delaware Valley Regional Planning Commission and East Windsor Township for the Transportation and Community Development Initiative Grant "Route 33 Corridor Revitalization/Redevelopment Plan" Project

The Township Clerk read by title Resolution R2010-197.

Mayor Mironov indicated that there is a revised resolution in Council's folder. This is the grant agreement for the \$100,000 the Township was awarded by the Delaware Valley Regional Planning Commission for the joint planning initiative with the Borough of Hightstown for the Route 33 corridor project. The professional services contract has been awarded for this project

It was MOVED by ROSENBERG and seconded by WEINSTEIN that Resolution R2010-197 be adopted.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays - None

There being five (5) ayes and no nays, Resolution R2010-197 be adopted.

Mayor Mironov requested that the staff make sure that the budget document is appropriately formatted and attached to the agreement.

Resolution R2010-198 Approval of Maintenance Service Agreement for Phone and Voicemail Systems with NACR for the East Windsor Police Department

The Township Clerk read by title Resolution R2010-198.

Mayor Mironov indicated that there is a recommendation from the Chief of Police and Township Manager.

It was MOVED by ROSENBERG and seconded by WEINSTEIN that Resolution R2010-198 be adopted.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays - None

There being five (5) ayes and no nays, Resolution R2010-198 be adopted.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Mayor Mironov indicated that the Clean Communities Committee met on September 30. They are sponsoring Recycling Day on Saturday, October 9 from 10 a.m. to 2 p.m. at the Senior Center. They are also sponsoring the Suggestion Box Contest for middle school students. They also voted to provide a litter free award to Perkins, which will be presented in the near future.

CORRESPONDENCE: None

APPOINTMENTS: None

APPROVAL OF BILLS:

Listed for approval were a one page vouchers for payment dated October 5, 2010, a current 2010 bill list, dated September 30, 2010, current 2009 bill list dated September 30, 2010, and a capital bill list dated September 30, 2010, as well as other miscellaneous and trust account bill lists.

It was MOVED by LIPPMAN and seconded by DANIELS that the bills be approved for payment.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein, Mironov
Nays - None

There being five (5) ayes and no nays, the bills were approved for payment.

MATTERS BY COUNCIL:

Mayor Mironov reminded Council that the flu and pneumonia clinics are scheduled for October 6 and October 13. The Turnpike Park pathway has been completed and it has been formally opened. Council has received a note from the Recreation Department regarding Senior Center program. Any comments are to be presented to Mayor Mironov.

Mayor Mironov requested that the Manager provide an update regarding the Capable Communications matters.

MATTERS BY PUBLIC: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. IRS Section 125 Cafeteria Plans

Mayor Mironov indicated that there is a memo from the Township Manager making some suggestions that he has discussed with the Township's insurance broker regarding a premium only plan and a flexible spending account plan.

Mr. Fisher reviewed his memo with the Council.

It was MOVED by DANIELS and seconded by LIPPMAN to support the concept and approval that the documents be prepared for Council approval.

ROLL CALL: Ayes - Daniels, Lippman, Rosenberg, Weinstein. Mironov
Nays - None

There being five (5) ayes and no nays, to support the concept and approval that the documents be prepared for Council approval. He indicated that this could provide a savings for the Township, but there is no way the Township would loose money.

Mr. Lippman questioned on how this would be promoted to the employees. Mr. Fisher responded that there would be an employee meeting with the provider.

Mr. Rosenberg questioned if the Township would save more money with more participation by the employees. Mr. Fisher indicated he would have to look into it.

2. East Windsor Township Community Forestry Management Plan
2011 Green Communities Grant
Proposed Amendments to Township Tree Ordinance (Chapter 12)
Tree Survey

Mayor Mironov stated that the Green Communities Grant for 2011 is due December 3, 2010. She questioned Mr. Balinit as to what the Committee proposes to do with the grant funding. Mr. Balinit indicated that the funds would go into the next 5 year plan. The current 5 year plans

expires December 31, 2010. It was the unanimous consensus of the Council to support the efforts of the Environmental Commission for this grant.

Mayor Mironov indicated that it was recommended that the proposed amendments to the Township tree ordinance be forwarded to the Township Landscape Architect for his review and comments. Thereafter, it would come back to the governing body for review and action. Ms. Weinstein stated that the revised tree ordinance is much clear and sets out more definitive definitions within the ordinance. Mayor Mironov directed that a letter be drafted for his signature forwarded the proposed amendments to Mr. Dobromilsky.

Mayor Mironov indicated that the Environmental Commission wished to begin the tree survey. She requested that if an additional copy of the information be left with the Clerk.

3. Small Cities Development Block Grant Applications

Mayor Mironov indicated that this was on a prior agenda. There has been material distributed as well as a note from the Mayor in Council folders.

4. 2011 Municipal Budget Preparation and 2010 Municipal Budget Status

Mayor Mironov indicated that 2010's budget was daunting and expects that 2011 will be another tense and difficult year regarding municipal finances. There are some items from 2010 that are to be tracked and reported on to Mayor Mironov. She asked when the subject could be provided. Mr. Fisher indicated he anticipate to have the information before the next Council meeting. Mayor Mironov required the materials as soon as possible and by the end of the following week. Mayor Mironov also indicated that the finances are to be monitored on an ongoing basis.

Mayor Mironov underscored the importance of the 2011 budget preparation in light of the anticipated challenges. The spending plans need to be in order well before January 2011.

Mayor Mironov indicated that her and her colleagues will continue to address the Energy Tax Receipts being restored to the towns.

There being no further business Mayor Mironov adjourned open session at 9:15 p.m. to go into closed session.

CINDY A. DYE
Municipal Clerk

JANICE S. MIRONOV
Mayor