

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, September 21, 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 September 21, 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.

Hightstown Borough Council Member Walter Sikorski 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:

Mayor Mironov read and presented a proclamation in recognition of Breast Cancer Awareness Month October 2010 to Hilary Zlatin, a breast cancer survivor and representative of the Susan G. Koman for the Cure.

PUBLIC FORUM: None

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

MINUTES:

Mayor Mironov said that the following minutes would be held: February 16, 2010; March 2, 2010; March 16, 2010; March 25, 2010; June 15, 2010; July 6, 2010; and July 20, 2010.

Mayor Mironov said that the following minutes would be rescheduled: August 3, 2010 and September 7, 2010.

RESOLUTIONS:

Resolution R2010-172 Approval of Purchase of Portable Tools for the East Windsor Public Works Department with Central Jersey Power Equipment

The Township read by title Resolution R2010-172.

Mayor Mironov said that this resolution was carried for further information.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2010-172 be adopted.

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

There being six (6) ayes and no nays, Resolution R2010-172 was adopted.

Resolution R2010-184 Approval of Professional Services Agreement for Planning
Services for the "Route 33 Corridor Revitalization/Redevelopment Plan"
with Heyer, Gruel & Associates

The Township read by title Resolution R2010-184.

Mayor Mironov suggested the following changes to the Resolution: "WHEREAS, the Township Council has reviewed the recommendations of the joint subcommittee of East Windsor Township and Hightstown Borough, which reviewed all the proposals and conducted personal interviews; and"; paragraph two under the now, therefore to read as follows: "This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law, and also in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq. and the first paragraph of the resolution should read as follows: "WHEREAS, the Township received a Transportation and Community Development Incentive Grant in the amount of \$100,000 from the Delaware Valley Regional Planning Commission (DVRPC) for development of a Revitalization/Redevelopment Plan for the Route 33 Corridor; and".

Mayor Mironov indicated that this was a very timely opportunity that the Township was able to take advantage of and was a very competitive process and the Township is gratified to have received \$100,000 grant. It will support the efforts and work of the sub-committee that was established between East Windsor Township and Hightstown Borough to look at the former "Minute Maid" property and this would expand that review to include the Route 33 corridor from Route 130. There will be a public participation segment.

It was MOVED by SHAPIRO and seconded by LIPPMAN that Resolution R2010-184, with the changes, be adopted.

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

There being six (6) ayes and no nays, Resolution R2010-184, with the changes, was adopted.

Resolution R2010-185 Refund of Tax Overpayments

The Township read by title Resolution R2010-185.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2010-185 be adopted.

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

There being six (6) ayes and no nays, Resolution R2010-185 was adopted.

Mayor Mironov said that there were revised resolutions for Resolution R2010-186 and Resolution R2010-190.

Resolution R2010-186 Authorization to Change Custodian for the East Windsor Recreation Petty Cash Fund

Resolution R2010-187 Authorization to Change Custodian for the East Windsor Police Department Petty Cash Fund

Resolution R2010-188 Authorization to Rescind the Petty Cash Fund for the Howard Scarborough Senior Center

Resolution R2010-189 Authorization to Create a Petty Cash Fund for the East Windsor Senior Center

Resolution R2010-190 Authorization to Create a Petty Cash Fund for the East Windsor Public Works Department

The Township Clerk read by title Resolutions R2010-187 through R2010-190.

It was MOVED by DANIELS and seconded by ROSENBERG that Resolutions R2010-186 through R2010-190 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-186 through R2010-190 were adopted.

Resolution R2010-191 Public Donor Agreement Between Better Beginnings Day Care and East Windsor Township

The Township read by title Resolution R2010-191.

It was MOVED by LIPPMAN and seconded by WEINSTEIN that Resolution R2010-191 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-191 was adopted.

Resolution R2010-192 Closed Session: (Collective Bargaining: Communication Workers of America Local 1032; Policemen's Benevolent Association Local 191; Superior Officers' Local 191; Teamsters Local Union 469; Teamsters Local Union 676) (Contract Negotiations: Hightstown - East Windsor Police and Court Study) (Contract Negotiations: Health Insurance Administrative Agreement) (Potential Sale of Real Estate) (Personnel) (Litigation)

The Township read by title Resolution R2010-192.

It was MOVED by SHAPIRO and seconded by LIPPMAN that Resolution R2010-192 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-192 was adopted.

Resolution R2010-193 Authorizing East Windsor Township to Enter into a Cooperative Pricing Agreement with Middlesex Regional Educational Services Commission

The Township read by title Resolution R2010-193.

Mayor Mironov said that there was information distributed by the Public Works Director.

It was MOVED by ROSENBERG and seconded by DANIELS that Resolution R2010-193 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-193 was adopted.

Resolution R2010-194 Approval of Purchase of Leaf Equipment with Old Dominion Brush for the East Windsor Public Works Department

The Township read by title Resolution R2010-194.

Mayor Mironov said that there was information distributed from the Township Manager and the Public Works Director.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2010-194 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-194 was adopted.

Resolution R2010-195 Approval of Contract for Leaf Disposal for the Public Works Department
with A.G. Farms

The Township read by title Resolution R2010-195.

Mayor Mironov said that there was a recommendation from the Public Works Director. It was asked if the Township could look into other locations of disposal or multiple locations at a cheaper rate.

Township Manager Fisher said that he would have that looked into.

It was MOVED by SHAPIRO and seconded by LIPPMAN that Resolution R2010-195 be adopted.

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

There being six (6) ayes and no nays, Resolutions R2010-195 was adopted.

APPLICATIONS:

Raffle License RL:349 American Legion Post 148, October 16, 2010, 895 Route 130, Casino Night

Mayor Mironov asked Ms. Dye if the application was in order.

Ms. Dye stated it was.

It was MOVED by ROSENBERG and seconded by WEINSTEIN that Raffle License RL:349 be approved.

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

There being six (6) ayes and no nays, Raffle License RL:349 was approved.

REPORTS BY COUNCIL AND STAFF:

Council Member Shapiro indicated that the Planning Board and discussed the conversation application. Mayor Mironov said that that would have been the second meeting on this subject and that there was a third meeting scheduled for October 18, 2010.

Council Member Daniels said that the Drug Alliance met and discussed upcoming projects for 2010-2011 and a handbook for the Alliance was suggested.

CORRESPONDENCE: None

APPOINTMENTS: None

APPROVAL OF BILLS:

Listed for approval were a one page vouchers for payment dated September 21, 2010, a current 2010 bill list, dated September 16, 2010, and a capital bill list dated September 16, 2010, as well as other miscellaneous and trust account bill lists.

Mayor Mironov indicated on the 2010 current bill list, page 2, there is a legal bill listed in the wrong account, should be in the open space account. Mayor Mironov questioned what the bill was on the Capital bill list, \$1,806.00.

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

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

There being six (6) ayes and no nays, the bills were approved for payment.

MATTERS BY COUNCIL:

Council Member Daniels questioned a Mayor's Fax Advisory regarding Moody's downgrade or Westfield causes budget cap concern.

Mayor Mironov said that there was a Tax Collector's report dated August 31, 2010. A partial road closure memo for Davison Road dated September 16, 2010 was received. A letter dated September 10, 2010 was received from the Watershed Association. A copy of a resolution provided by the Mercer County Board of Chosen Freeholder asking the State to give back the Tree monies was distributed. A letter was received from the New Jersey Department of Transportation dated September 7, 2010 providing potential funding sources for implementing traffic calming measures in the Township. Notice was received from the New Jersey Department of Transportation regarding work on Route 33 and Route 133, Mayor Mironov asked the Township Manager to follow-up and find out what the road work was specifically. Mayor Mironov announced that September 25, 2010 is operation medication cabinet, September 29, 2010 is Passport services Day with the Mercer County Clerk, and October 9, 2010 is Recycling Day at the Senior Center. The Economic Development Committee's golf outing is October 4, 2010; two flu clinics have been scheduled for October 6, 2010 and October 13, 2010 at the Senior Center. The annual public policy networking breakfast with the Princeton Regional Chamber of Commerce is scheduled for October 26, 2010. Turnpike park pathway is completed. It was requested that a report be provided on the auction. Mayor Mironov indicated to the staff to work on the budget, projections, spending plans so well before the end of the year. Mayor Mironov asked the Township Manager to follow-up on what is needed to become a New Jersey Sustainable town.

MATTERS BY PUBLIC: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Presentation of Proposed Eagle Scout Project by Todd Alter, Boy Scout Troop 59

Mayor Mironov introduced Todd Alter of Boy Scout Troop 59.

Todd Alter said that his Eagle Scout project would be the construction of a softball scoreboard for the new Disbrow Hill park playing fields. He said that he estimated the total cost of the project would be about \$600.00. Mr. Alter said that he would also be supplying a deck box to store the number cards for the scoreboard and that would be bolted to one of the legs of the scoreboard. He said that he hopes to have the project completed by the end of October, early November.

Mayor Mironov indicated that the Township purchased that property with Green Acres grants and then the playing fields the Township was able to secure State and county money. She said that it was nice to see the progress in a property like that.

Mayor Mironov said that this was a great project. She congratulated Todd on putting his project together and his good presentation. She said that the Council would take a vote on the project, and she will ask that someone on staff be available to answer questions, provide guidance and will work on the details.

It was MOVED by DANIELS and seconded by ROSENBERG to endorse the Eagle Scout Project by Todd Alter, Boy Scout Troop 59.

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

There being six (6) ayes and no nays, the Eagle Scout Project by Todd Alter, Boy Scout Troop 59 was approved.

Mayor Mironov indicated that the endorsement letter would be available for Todd Alter tomorrow.

2. “The Seasons at East Windsor” Assisted Living/Senior Housing Proposal

Ordinance No. 2010-11

An Ordinance Amending and Supplementing Chapter XX, Zoning, of the Revised General Ordinances of the Township of East Windsor County of Mercer, State of New Jersey and Specifically Amending Subsection 20-18.3 Entitled "Conditional Uses" for the "R-O" Zoning District and Amending Section 20-24 to Provide for Conditional Use Provisions For "Assisted Living Facilities"

The Township read by title Ordinance No. 2010-11.

Henry Kent-Smith, East Windsor Acquisitions, said that he was present to discuss the proposed Ordinance amendment that would amend the “R-O” zone in order to address certain conditional use standards for an assisted living facility that his client is proposing. The property is on Route 571

(Princeton-Hightstown Road) and is currently a vacant farm field adjacent to office buildings and is proposed for an assisted living facility. In the past, he proposed to work on an amendment that would have included the property behind this property, but his client is now not able to acquire that property. He said that he would appreciate the Council's consideration in the Ordinance.

Mayor Mironov reminded the Township Council that this had been discussed before. This idea has been presented before the Planning Board last year and then presented to the Township Council earlier this year. There were prior materials on this subject. There was a general favorably by the governing for this type of facility.

Mayor Mironov said that there was a letter distributed from the Township Planner with a possible ordinance for consideration. This would not actually change the zoning on Princeton-Hightstown Road but would add the "assisted living facility" as a conditional use under certain conditions.

It was MOVED by WEINSTEIN and seconded by ROSENBERG to approve on introduction, authorize publication, forward to the Planning Board for comment and set public hearing for October 19, 2010.

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

There being six (6) ayes and no nays, Ordinance 2010-11 was approved on introduction, authorized for publication, forward to the Planning Board for comment and public hearing was set for October 19, 2010.

3. Proposed Amendment to the Code for Fire Prevention

Ordinance No. 2010-12

An Ordinance to Amend Chapter XIV, Fire Prevention, Section 5, Administration, of the Revised General Ordinances of the Township of East Windsor

The Township read by title Ordinance No. 2010-12.

Mayor Mironov said that there was a memo distributed from the Township Manager suggesting a modest change in the Ordinance putting the Fire Official under the Construction Official.

It was MOVED by WEINSTEIN and seconded by DANIELS to approve on introduction, authorize publication and set public hearing for October 19, 2010.

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

There being six (6) ayes and no nays, Ordinance 2010-12 was approved on introduction, authorized for publication and public hearing was set for October 19, 2010.

4. Hightstown-East Windsor Police and Court Study

Mayor Mironov said that this was placed on the agenda to give the public an opportunity to comment. This item was on two prior public agendas, the report has been made available on the web-site, as well as the Borough of Hightstown's web-site, so that anyone who wanted to read the report and forward comments could do so. The sub-committees were established when the grant was obtained and they have continued to exist and have continued to meet. Since the last time this item was placed on a public agenda there has been contact with the Hightstown sub-committee and several exchanges of information. The discussions have been based on the report that was issued, and the exchanges have been predicated by many of the findings.

Mayor Mironov asked if there was anyone from the public who would like to comment on this subject. There was no public comment.

Councilmember Walter L. Sikorski, Hightstown Borough, thanked the members of the sub-committee and Mayor Mironov for a productive two and half years.

There being no further business Mayor Mironov adjourned open session at 9:18 p.m..

CINDY A. DYE
Municipal Clerk

JANICE S. MIRONOV
Mayor