

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, December 27, 2011

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on December 27, 2011.

Municipal Clerk Cindy A. Dye certified that the meeting was noticed in the Special 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 November 4, 2011. All requirements of the "Open Public Meetings Act" were satisfied.

David Orron led the flag salute.

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

### **PRESENTATIONS & PROCLAMATIONS: None**

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

Mayor Mironov and Council Members interviewed Dilys Henninger for a position on a Township Board or Commission. Ms. Henninger is interested in the Commission on Aging and the Health Advisory Board.

Mayor Mironov and Council Members interviewed Robin Harris for a position on a Township Board or Commission. Ms. Harris is interested in the Recreation Commission, Planning Board or the Local Assistance Board.

### **PUBLIC FORUM: None**

### **MINUTES:**

#### November 14, 2011 (Closed Session)

It was MOVED by LIPPMAN and seconded by WEINSTEIN that the minutes of November 14, 2011 (Closed Session) be approved.

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

There being six (6) ayes and no nays, the November 14, 2011 (Closed Session) minutes were approved.

#### November 29, 2011 (Closed Session)

It was MOVED by WEINSTEIN and seconded by LIPPMAN that the minutes of November 29, 2011 (Closed Session) be approved.

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

There being five (5) ayes, no nays and one (1) abstention, the November 29, 2011 (Closed Session) minutes were approved.

Mayor Mironov requested to hold the following minutes: September 20, 2011, October 4, 2011, October 18, 2011, November 1, 2011, November 14, 2011 and November 29, 2011.

**ORDINANCES – ADOPTION:**

**Ordinance No. 2011-20** An Ordinance Accepting the Donation of a 2.5 Acre Parcel of Lane From the McGraw-Hill Companies Designated as a Portion of Block 63, New Lot 10.02

The Township Clerk read by title Ordinance No. 2011-20.

Mayor Mironov indicated that this ordinance was introduced on November 29, 2011. Mayor Mironov opened the public hearing for Ordinance No. 2011-20. There being no public comment, Mayor Mironov closed the public hearing for Ordinance No. 2011-20.

It was MOVED by ROSENBERG and SECONDED by DUKE to adopt Ordinance No. 2011-20, authorize publication as required by law.

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

There being six (6) ayes and no nays, to adopt Ordinance No. 2011-20, authorize publication as required by law.

**RESOLUTIONS:**

**Resolution R2011-241** Authorizing Repair to Fire Apparatus for East Windsor Volunteer Fire Company No. 1 with Fire & Safety Services

The Township Clerk read by title Resolution R2011-241.

Mayor Mironov stated that this was carried from the November 29, 2011 meeting. She indicated that she asked staff that for the future that they be more proactive in funding and funding sources for purchases so as to minimize, to the greatest degree, the stress on the Township's cash and finances.

It was MOVED by DUKE and seconded by YEAGER that Resolution R2011-241 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-241 was adopted.

**Resolution R2011-242** Authorizing Repair to Fire Apparatus for East Windsor Volunteer Fire Company No. 1 with Emergency Products, Inc.

The Township Clerk read by title Resolution R2011-242.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2011-242 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-242 was adopted.

**Resolution R2011-247** Authorizing Approval of Interlocal Service Agreement with Robbinsville Township for Animal Control Services

The Township Clerk read by title Resolution R2011-247.

Mayor Mironov stated that the Township has received from Robbinsville a resolution and signed agreement.

It was MOVED by WEINSTEIN and seconded by YEAGER that Resolution R2011-247 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-247 was adopted.

**Resolution R2011-248** Authorizing Change Order No 1 and Final with Schifano Construction Company for the Resurfacing and Associated Improvements to Cedarville Road

The Township Clerk read by title Resolution R2011-248.

Mayor Mironov stated that there is a recommendation from the Director of Public Works.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2011-248 be adopted.

Mayor Mironov asked why this change order is just coming to the Council now. Mr. Fisher indicated that the change order was delayed due to the contractor and at no fault of the Township.

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

There being six (6) ayes and no nays, Resolution R2011-248 was adopted.

**Resolution R2011-249** Authorizing Change Order No 1 and Final with A.G. Farms for Acceptance of Leaves Collected by East Windsor Township

The Township Clerk read by title Resolution R2011-249.

It was MOVED by LIPPMAN and seconded by DUKE that Resolution R2011-249 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-249 was adopted.

**Resolution R2011-250** Approval of Purchase of Desktop Computers and Related Software for the Police Department

The Township Clerk read by title Resolution R2011-250.

Mayor Mironov stated that there is a recommendation from the Police Chief.

It was MOVED by YEAGER and seconded by ROSENBERG that Resolution R2011-250 be adopted.

Mayor Mironov asked if there was a capital funding source for this purchase. Mr. Fisher confirmed that there was.

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

There being six (6) ayes and no nays, Resolution R2011-250 was adopted.

**Resolution R2011-251** Authorizing Repair to Fire Apparatus for East Windsor Volunteer Fire Company No. 2 by Emergency Products, Inc.

The Township Clerk read by title Resolution R2011-251.

Mayor Mironov stated that there is a request from East Windsor Fire Company No. 2 and a recommendation from the Township Manager. This was part of the last capital ordinance.

It was MOVED by DUKE and seconded by YEAGER that Resolution R2011-251 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-251 was adopted.

**Resolution R2011-252** Approval of Purchase of Park Equipment for Veterans Park from Marturano Recreation Company, Inc.

The Township Clerk read by title Resolution R2011-252.

Mayor Mironov stated that there is a recommendation from the Public Works Director. This was listed due to discussions had with the Public Works Director. This was something discovered at the New Jersey State League of Municipalities Conference. As indicated, this is an opportunity to save over \$15,000, which is forty percent of the cost of the equipment. Mayor Mironov wanted to ensure that staff is getting in place the remaining funds for the safety surface and installation in a timely fashion. Mr. Fisher stated yes. The Council should decide the colors for the equipment. It was the consensus of the Council that Mayor Mironov and Council Member Shapiro decide the colors for the equipment.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2011-252 be adopted, with the condition that Mayor Mironov and Council Member Shapiro choose the colors of the equipment.

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

There being six (6) ayes and no nays, Resolution R2011-252 was adopted, with the condition that Mayor Mironov and Council Member Shapiro choose the colors of the equipment.

**Resolution R2011-253** Approval of Purchase of Replacement Ice Machine for the East Windsor Senior Center from H&H Appliance Center

The Township Clerk read by title Resolution R2011-253.

Mayor Mironov stated that a revised resolution is in Council's folders revising the funding source to all trust funds, not public funds.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2011-253 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-253 was adopted.

**Resolution R2011-254** Approval of Contract with Edmunds Associates for Computer Services for the Finance Department

The Township Clerk read by title Resolution R2011-254.

Mayor Mironov stated that there was a recommendation from the Finance Department. Mayor Mironov requested that the fifth paragraph and the first Now, Therefore paragraph have added to it “pending and contingent upon the adoption of the 2012 Budget for East Windsor Township.”

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2011-254 be adopted as corrected.

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

There being six (6) ayes and no nays, Resolution R2011-254 was adopted as corrected.

**Resolution R2011-255** Authorizing Cancellation of 2011 Budget Appropriations

The Township Clerk read by title Resolution R2011-255.

Mayor Mironov requested an amendment to the resolution attachment, item 4 be changed to \$272,447, which would make the total \$397,412.85.

It was MOVED by YEAGER and seconded by DUKE that Resolution R2011-255 be adopted as amended.

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

There being six (6) ayes and no nays, Resolution R2011-255 was adopted as amended.

**Resolution R2011-256** Cancellation Capital-Reserve for Payment of Debt Service

The Township Clerk read by title Resolution R2011-256.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2011-256 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-256 was adopted.

**Resolution R2011-257** Cancellation of Grant Receivable – Capital Fund

The Township Clerk read by title Resolution R2011-257.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Resolution R2011-257 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-257 was adopted.

**Resolution R2011-258** Cancellation of Grant Receivable

The Township Clerk read by title Resolution R2011-258.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2011-258 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-258 was adopted.

**Resolution R2011-259** Cancellation of Ordinance Balances

The Township Clerk read by title Resolution R2011-259.

Mayor Mironov questioned why it was recommended to cancel the leaf equipment. Mr. Fisher indicated that it could either be reallocated or cancelled. He confirmed that this was checked and approved with Public Works.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2011-259 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-259 was adopted.

**Resolution R2011-260** Authorizing Transfers Among the 2011 Budget Appropriations

The Township Clerk read by title Resolution R2011-260.

Mayor Mironov stated that there is information from the Manager regarding the two accounts.

It was MOVED by YEAGER and seconded by ROSENBERG that Resolution R2011-260 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-260 was adopted.

**Resolution R2011-261** Amendment to Resolution R2011-80 Approval of Professional Services Agreement for Special Tax Counsel

The Township Clerk read by title Resolution R2011-261.

It was MOVED by LIPPMAN and seconded by DUKE that Resolution R2011-261 be adopted.

Mayor Mironov reiterated that all contracts are monitored throughout the course of the year and that the authorizations are recognized.

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

There being five (5) ayes, one (1) abstention and no nay, Resolution R2011-261 was adopted.

**Resolution R2011 -262** Cancellation of Tax Sale Certificates

The Township Clerk read by title Resolution R2011-262.

Mayor Mironov stated that there is a recommendation from the Manager.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2011-262 be adopted.



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

There being six (6) ayes and no nays, Resolution R2011-262 was adopted.

**Resolution R2011-263** Closed Session (Acquisition of Real Property; Collective Bargaining)

The Township Clerk read by title Resolution R2011-263.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Resolution R2011-263 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-263 was adopted.

**APPLICATIONS:**

New Jersey Fireman's Association Membership Application for Adrian V. Ortiz, III

It was MOVED by DUKE and seconded by WEINSTEIN New Jersey Fireman's Association Membership Application for Adrian V. Ortiz, III be approved.

Ms. Dye confirmed that the application is in order.

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

There being six (6) ayes and no nays, Resolution R2011-263 was adopted.

**Raffle License RL:359** East Windsor P.A.L., March 17, 2012, VFW Post 5700, Dutch Neck Road, Off-Premise Raffle

It was MOVED by ROSENBERG and seconded by DUKE that Raffle License RL:359 be approved.

Ms. Dye confirmed that the application is in order.

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

There being five (5) ayes, no nays and one (1) abstention, that Raffle License RL:359 be approved.

**Raffle License RL:360** American Legion Post 148, January 1, 2012-January 1, 2013,  
895 Route 130, Instant Raffles

It was MOVED by ROSENBERG and seconded by DUKE that Raffle License RL:360 be approved.

Ms. Dye confirmed that the application is in order.

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

There being six (6) ayes and no nays, that Raffle License RL:360 be approved.

**REPORTS BY COUNCIL AND STAFF:**

Mr. Yeager indicated that the East Windsor Municipal Alliance for the Prevention of Substance Abuse met and they discussed projects for 2012. The Commission on Aging is scheduled to meet on December 29. Ms. Weinstein reported that the Health Advisory Board met and discussed a possible community garden project.

**CORRESPONDENCE: None**

**APPOINTMENTS:**

Mayor Mironov appointed Jordan Virgil as a student member of the Environmental Commission, Colleen Murphy and Matthew Dolan as student members of the Economic Development Committee.

**APPROVAL OF BILLS:**

Listed for approval were current 2011 bill list dated December 22, 2011, current 2010 bill list dated December 22, 2011 and a capital bill list dated December 22, 2011, as well as other miscellaneous and trust account bill lists.

Mayor Mironov requested that under the grants project, the TCDI project bills be held pending a report as to the status of the project.

It was MOVED by DUKE and seconded by LIPPMAN that the bills be approved as indicated above.

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

There being six (6) ayes and no nays, the bills were approved as indicated above.

**MATTERS BY COUNCIL:**

Mayor Mironov indicated a letter was received dated December 9 from Robbinsville transmitting the remainder of the funds for Hankins Road. A letter was received dated December 8 from our Assembly Members indicating that they opposed Assembly Bill 3992. A letter was received from T&M Associates dated December 16 updating the fees for the transportation improvement fund. A letter was received dated December 8 from Mercer County Executive Brian Hughes regarding the Route 571 transportation and Middlesex County. A notice was received dated December 7 from the New Jersey State League of Municipalities indicating that the Governor has adopted the 2011 Energy Master Plan. A Tax Collector's report has been received dated November 30. A memo was received dated December 5 from Chief Spain regarding the questions on the animal control equipment. A memo was received from the Senior Center Director dated December 5 indicated that the 2011 scheduled for the Mercer County Surrogate was agreeable. Information has been received from the Manager regarding the questions on the farmland leases. The 2012 Holiday Food Drive flyers have been distributed. Mayor Mironov noted that East Windsor has been moved to Congressional District 4 from District 12. Congressman Rush Holt will be the Township's representative starting in 2013.

**MATTERS BY PUBLIC: None**

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

1. Police/Court Solar Project  
**Resolution R2011-245**      Action on Solar Project at the East Windsor  
Police/Court Building

The Township Clerk read by title Resolution R2011-245.

Mayor Mironov stated that there are remaining details that are being ironed out. The Township has obtained an extension of the proposals. Mayor Mironov suggested that this item be held.

2. FY2012 Recreational Trails Program Application

Mayor Mironov stated that there was a memo from the Manager dated December 22, 2011. The grant application deadline is February 15, 2012.

Mayor Mironov asked which proposal was the 2011 application was regarding that the Township just received a response in October 2011. Mr. Fisher responded it was the Turnpike Park Extension. Mayor Mironov asked if Mr. Fisher followed-up on how the Township may enhance the application. Mr. Fisher answered no. Mayor Mironov suggested that he follow-up on how to enhance the Township's application.

Mayor Mironov and Council Members discussed project options suggested for this grant opportunity. Mayor Mironov asked if the future phase proposed for the Disbrow Hill Road Park

fit within a single recreation trails grant. Mr. Fisher responded that it probably would take three applications to complete this work under this program. She indicated that there are programs that allow for a higher amount of funding. She stated that if the Township pursued the Disbrow Hill Road Park trail, it would be an incomplete trail. She stated that she would like a viable plan as to how the trail would be completed.

Mayor Mironov stated that this matter is to be placed on the agenda for the second meeting in January with a resolution. She suggested that staff contact DEP regarding the Turnpike Park Extension to obtain additional information on how to enhance our application and proposal. Since there is a strong interest in a perimeter path along the Disbrow Hill fields open space parcel, she suggested that staff go back and review and return to Council a viable proposal that either identifies other grant opportunities or how to make the project into two phases.

3. Delaware Valley Regional Planning Commission (DVRPC) - Transportation and Community Development Initiative  
**Resolution R2011-264** Authorize Filing of a Grant Application with Delaware Regional Planning Commission for Transportation and Community Development Initiative

The Township Clerk read by title Resolution R2011-264.

Mayor Mironov stated that information was received by the Township Manager. She indicated that staff is ready to move forward should that be the direction of the Council.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2011-264 be adopted.

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

There being six (6) ayes and no nays, Resolution R2011-264 was adopted.

Mayor Mironov reminded everyone that the reorganization meeting is scheduled for January 1, 2012 at 2:00 p.m. at the East Windsor Senior Center. Everyone is invited to attend.

There being no further business Mayor Mironov adjourned the meeting at 9:15 p.m.

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Cindy A. Dye  
Municipal Clerk

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Janice S. Mironov  
Mayor