

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, November 29, 2011

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on November 29, 2011.

Municipal Clerk Cindy A. Dye certified that the meeting was noticed in the Amended 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.

Council Member Shapiro led the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Hector Duke, 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. Deputy Mayor Marc Lippman and Council Member Yeager were absent.

PRESENTATIONS & PROCLAMATIONS: None

INTERVIEWS FOR BOARDS AND COMMISSIONS:

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

Mayor Mironov and Council Members interviewed Dana Schatzle for a position on a Township Board or Commission. Ms. Schatzle is interested in the Environmental Commission.

PUBLIC FORUM: None

MINUTES:

Mayor Mironov requested that the following minutes be rescheduled: September 20, 2011, October 4, 2011, November 1, 2011 and November 14, 2011.

RESOLUTIONS:

Resolution R2011-230 Establishing Date, Time and Place for East Windsor Township
2012 Reorganization Meeting

The Township Clerk read by title Resolution R2011-230.

Mayor Mironov recommended that the 2012 Reorganization Meeting be scheduled on Sunday, January 1 at 2 p.m. at the East Windsor Senior Center.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2011-230 be adopted as amended.

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

There being five (5) ayes and no nays, Resolution R2011-230 was adopted as amended.

Resolution R2011-231 Authorizing Bidding for Lease of Farmland along Disbrow Hill Road (Block 21, Lot 4)

The Township Clerk read by title Resolution R2011-231.

Mayor Mironov stated that there are four properties that are owned by the town and can be solicited for farming. She stated that a letter was sent to Green Acres forwarding draft leases dated October 7 and asked Mr. Fisher if a response was received.

Mr. Fisher stated that the draft before Council has been approved; however, they requested review of each specific parcel. Mr. Fisher requested that bids be received on Thursday, December 22 at 10 a.m.

Mayor Mironov stated that it was recommended that the minimum bid be \$65 per acre.

It was the consensus of the Council to receive bids on Thursday, December 22 at 10 a.m. and the minimum bid be set at \$65 per acre.

Mayor Mironov stated that paragraph c was incorrectly eliminated.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2011-231 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-231 was adopted as corrected.

Resolution R2011-232 Authorizing Bidding for Lease of Farmland along Conover Road (Block 46, Lot 11)

The Township Clerk read by title Resolution R2011-232.

It was the consensus of the Council to receive bids on Thursday, December 22 at 10 a.m. and the minimum bid be set at \$45 per acre.

Mayor Mironov requested follow-up regarding why the farmer did not wish to renew his lease on the property. Mayor Mironov stated on the Schedule A, she is not sure what area is being set aside for farming. The entire property is outlined and it is not determined which portion is to be farmed. Mayor Mironov stated that she is requesting to proceed with the resolutions conditioned upon the Manager responding to Mayor and Council within the next couple of days on what the actual arrangement is both contractually and physically; how does it work for all the properties.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2011-232 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-232 was adopted as corrected.

Resolution R2011-233 Authorizing Bidding for Lease of Farmland along Old York Road
(Block 29, Lot 6)

The Township Clerk read by title Resolution R2011-233.

It was the consensus of the Council to receive bids on Thursday, December 22 at 10 a.m. and the minimum bid be set at \$45 per acre. Mayor Mironov requested clarification on the Schedule A.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2011-233 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-233 was adopted as corrected.

Resolution R2011-234 Authorizing Bidding for Lease of Farmland along One Mile Road
(Block 5, Lot 11)

The Township Clerk read by title Resolution R2011-234.

It was the consensus of the Council to receive bids on Thursday, December 22 at 10 a.m. and the minimum bid be set at \$1 per acre. Mayor Mironov requested clarification on the Schedule A.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2011-234 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-234 was adopted as corrected.

Resolution R2011-235 Authorizing Purchase of Office Furniture for the Department of
Public Works with Tanner Furniture, Inc.

The Township Clerk read by title Resolution R2011-235.

Mayor Mironov stated that there is a recommendation from the Public Works Director. This is for the new building that is hopefully going to be completed this month at no cost to the Township.

It was MOVED by WEINSTEIN and seconded by SHAPIRO that Resolution R2011-235 be adopted.

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

There being five (5) ayes and no nays, Resolution R2011-235 was adopted.

Resolution R2011-236 Authorizing Change Order No 1 and Final with S. Brothers Inc. for the Resurfacing and Associated Improvements to Hankins Road

The Township Clerk read by title Resolution R2011-236.

Mayor Mironov stated that a report has been received from the Department of Public Works regarding the final numbers for the reconstruction of Hankins Road. Mayor Mironov questioned if the money has been received from Robbinsville for their portion of the cost of the change order. Mr. Fisher stated that Robbinsville has been invoiced for the payment. Mayor Mironov asked Mr. Fisher if an amendment is needed to the Interlocal Services Agreement. Mr. Fisher stated no.

Mayor Mironov requested that at the end of paragraphs 1 and 2 “subject to all municipal approvals and receipt of funds from Robbinsville Township” be added.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2011-236 be adopted with the changes.

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

There being five (5) ayes and no nays, Resolution R2011-236 was adopted with the changes.

Resolution R2011-237 Approval of Professional Services Agreement for Appraisal Services for 47 Cedarville Road (Block 31, Lot 25), 50 Cedarville Road (Block 30, Lot 14); 77 Cedarville Road (Block 31, Lot 25.02) and 79 Cedarville Road (Block 31, Lot 25.01) with Martin Appraisals Associate, Inc.

The Township Clerk read by title Resolution R2011-237.

Mayor Mironov stated that the purpose of the services is missing from the first two paragraphs of the resolution.

It was MOVED by SHAPIRO and seconded by DUKE that Resolution R2011-237 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-237 was adopted as corrected.

Resolution R2011-238 Approval of Professional Services Agreement for Appraisal Services for 820 Windsor Perrineville Road (Block 35, Lots 4 and 4.01) with Martin Appraisals Associate, Inc.

The Township Clerk read by title Resolution R2011-238.

Mayor Mironov stated that the purpose of the services is missing from the first two paragraphs of the resolution.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2011-238 be adopted as corrected.

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

There being five (5) ayes and no nays, Resolution R2011-238 was adopted as corrected.

Resolution R2011-239 Amendment to Resolution R2011-32 Authorizing Purchase Additional Rock Salt with International Salt Company, LLC under Mercer County Bid 2009-28

The Township Clerk read by title Resolution R2011-239.

Mayor Mironov stated that a new resolution has been distributed. At her request, staff contacted Mercer County to find out when they were receiving bids and learned they have been received. They will be awarding the bid on December 8. The price is basically the same and suggested to the manager that there was no reason to move so rapidly to restock such huge quantities as he requested.

It was MOVED by ROSENBERG and seconded by WEINSTEIN that Resolution R2011-239 be adopted.

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

There being five (5) ayes and no nays, Resolution R2011-239 was adopted.

Resolution R2011-240 Authorizing Transfers Among the 2011 Budget Appropriations for Purchase of Rock Salt

The Township Clerk read by title Resolution R2011-240.

Mayor Mironov stated that a new resolution has been distributed. It provides for the actual amount of the purchase and funding source as reworked.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2011-240 be adopted.

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

There being five (5) ayes and no nays, Resolution R2011-240 was adopted.

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 there is a recommendation on this and recognizes that it does need to be paid. She had requested that staff review thoroughly capital ordinances and accounts to identify funding.

Council Member Duke requested that this resolution be pulled until further information regarding funding is provided. It was the consensus of the Council to pull Resolution 2011-241.

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

Mayor Mironov requested that this resolution also be pulled as it is a partner to Resolution R2011-241.

Resolution R2011-243 Closed Session (Acquisition of Real Property)

The Township Clerk read by title Resolution R2011-243.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Resolution R2011-243 be adopted.

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

There being five (5) ayes and no nays, Resolution R2011-243 was adopted.

Resolution R2011-246 Authorizing Transfers Among the 2011 Budget Appropriations

The Township Clerk read by title Resolution R2011-246.

Mayor Mironov stated that this resolution was distributed this evening.

Mayor Mironov stated that this moves a modest amount for public works overtime that was incurred during the storms, pending FEMA reimbursement, and providing additional funds to the Fire Prevention Bureau, which is generating revenue which offsets these costs.

It was MOVED by WEINSTEIN and seconded by ROSENBERG that Resolution R2011-246 be adopted.

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

There being five (5) ayes and no nays, Resolution R2011-246 was adopted.

Resolution R2011- Authorizing Cancellation of 2011 Budget Appropriations

Mayor Mironov requested that this resolution be listed on the December 27 agenda.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Mayor Mironov stated that the Clean Communities Committee met on November 17. The wrap-up meeting is tentatively scheduled for January 26. The Committee also discussed the Sustainable Jersey programs and participation in two programs, “Adopt a Backyard Composting Program” and “Cut it and Leave It”. They are also looking to do the puppet program at one of the schools.

CORRESPONDENCE: None

APPOINTMENTS: None

APPROVAL OF BILLS:

Listed for approval were current 2011 bill list dated November 24, 2011, current 2010 bill list dated November 24, 2011 and a capital bill list dated November 24, 2011, as well as other miscellaneous and trust account bill lists.

Council Member Weinstein questioned if the equipment being purchased for animal control is to replace old equipment or because of the shared services with West Windsor and Robbinsville.

Mayor Mironov requested to hold the bill under the current 2010 bill list for the fire company turnout gear. She questioned why this purchase is not made under capital.

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

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

There being five (5) ayes and no nays, the bills were approved as indicated above.

MATTERS BY COUNCIL:

Mayor Mironov stated that the Womanspace Community of Lights will be held on Monday, December 12 at 5:00 p.m. at the municipal building. A report has been received for Public Works regarding the final bill for Elm Drive and Meadow Lane. She requested that the Township Manager begin the construction of the website for the various departments.

MATTERS BY PUBLIC: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Safe Routes to Schools Program Application
Resolution R2011-244 Approval of Filing of Application with New Jersey Department of Transportation Safe Routes to School Grant Program

The Township Clerk read by title Resolution R2011-244.

Mayor Mironov stated that there is a memo from the Township Manager dated November 23, 2011. Mayor Mironov stated that she does not understand the memo. There is no clarity to what the proposal is or what is being suggested by staff for an application. Council Member Shapiro concurred. Mayor Mironov questioned if the resolution provided would be the resolution no matter what the application is. Mr. Fisher stated yes.

Mayor Mironov stated that the materials provided need to be reviewed to determine what the relevant information is. A narrative needs to be provided so it can be clearly determined what is being proposed. She recommended that the resolution be adopted generally. Within the next

few days, staff needs to review the information and provide to Mayor and Council the relevant information with a narrative.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2011-244 be adopted with the stated conditions.

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

There being five (5) ayes and no nays, Resolution R2011-244 was adopted with the stated conditions.

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

Mayor Mironov stated that information has been distributed on this matter. The Township did receive proposals. Mayor Mironov requested that this resolution be held until the December 27 meeting. There are a few additional details that need to be reviewed.

Mayor Mironov stated that there is a second action which is needed. It is the acceptance of the 2.5 acres from McGraw Hill.

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 stated that in Council's folders the attachment has been provided for the ordinance.

It was MOVED by WEINSTEIN and seconded by DUKE to approve Ordinance No. 2011-20 on introduction, authorize publication to set public hearing for December 27, 2011.

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

There being five (5) ayes and no nays, to approve Ordinance No. 2011-20 on introduction, authorize publication to set public hearing for December 27, 2011.

There being no further business Mayor Mironov adjourned the meeting at 9:10 p.m.

Cindy A. Dye
Municipal Clerk

Janice S. Mironov
Mayor