

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, April 17, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on April 17, 2012.

Municipal Clerk Cindy 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 4, 2012. All requirements of the "Open Public Meetings Act" were satisfied.

Barry Fliegleman led the flag salute.

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

PRESENTATIONS & PROCLAMATIONS:

Earth Day (April 22, 2012) – Recycling Poster Contest Awards: Mayor Mironov honored the winners of the recycling poster contest.

Better Beginnings Mayor 2012 Shining Star Awards (April 28, 2012)

Lifetime Achievement – Walter T. Daniels

Individual – Dale and Gary Grubb

Alumnus of the Year – Bryan Screws

Organization – First Presbyterian Church of Cranbury

Youth Group – Red Cross Club of Hightstown High School

Business – Shiseido America, Inc.

Mayor Mironov presented the proclamations at an outside event.

Month of the Young Child, April 2012: Mayor Mironov presented the proclamation at an outside event.

Arbor Day -- April 27, 2012: Mayor Mironov presented the proclamation at an outside event.

MOTION to amend the agenda to add Resolution R2012-91 "Approval of Grant Agreement between East Windsor Township and State of New Jersey Department of Environmental Protection under the New Jersey No Net Loss Reforestation Program" and Resolution R2012-92 "Resolution to Amend Introduced Budget"

It was MOVED by LIPPMAN and seconded by ROSENBERG that the agenda be amended.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no nays, the agenda was amended.

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

PUBLIC FORUM: None

MINUTES:

Mayor Mironov stated that the following minutes would be rescheduled: February 7, 2012, February 18, 2012 (Budget Session), February 21, 2012 (Budget Session), February 21, 2012, March 7, 2012, and March 20, 2012.

ORDINANCES – INTRODUCTION:

Ordinance No. 2012-6 Bond Ordinance Providing for an Alternate Funding Source for the Acquisition of Open Space in and by the Township of East Windsor, in the County of Mercer, New Jersey, Appropriating \$2,825,000 Therefor and Authorizing the Issuance of \$2,690,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Mayor Mironov noted the ordinance was a technical requirement.

It was MOVED by LIPPMAN and seconded by ROSENBERG to approve on introduction, authorize for publication, and set the public hearing for May 1, 2012.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Ordinance No. 2012-6 was approved on introduction, authorized for publication, and set the public hearing for May 1, 2012.

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2012-4 An Ordinance to Authorize Exceeding the Municipal Budget Appropriation Limits to Establish a Cap Bank for the Future

Mayor Mironov stated the ordinance was introduced at the meeting of March 20. She declared open the public hearing for Ordinance No. 2012-4. There being no comment, she closed the public hearing. She stated that the ordinance would allow the Township to bank monies for the future.

It was MOVED by ROSENBERG and seconded by YEAGER to adopt Ordinance No. 2012-4 and authorize publication by law.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Ordinance No. 2012-4 was adopted and authorized for publication by law.

Ordinance No. 2012-5 An Ordinance of the Township of East Windsor, in the County of Mercer, New Jersey, Appropriating \$220,000 Expected to be Received from the State of New Jersey Transportation Trust Fund for Improvements to Dutch Neck Road and \$1,832,620 Expected to be Received from the State of New Jersey Department of Environmental Protection Under the No Net Loss Grant Program for FY 2012

Mayor Mironov stated the ordinance was introduced at the meeting of April 3. She declared open the public hearing for Ordinance No. 2012-5. There being no comment, she closed the public hearing. She stated that the ordinance would allow the Township to bank monies for the future.

It was MOVED by YEAGER and seconded by ROSENBERG to adopt Ordinance No. 2012-5 and authorize publication by law.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Ordinance No. 2012-5 was adopted and authorized for publication by law.

RESOLUTIONS:

Resolution R2012-59 Adoption of the 2012 Municipal Budget

Mayor Mironov stated that the budget was introduced previously, at which time the public hearing was set for tonight. She declared open the public hearing on the 2012 municipal budget. There being no public comment, she closed the public hearing. She asked the Finance Director and Auditor to confirm that the budget had been reviewed and approved by the state.

Bud Jones, Auditor, and Margaret Gorman, Finance Director, confirmed this.

Mayor Mironov stated that the state had asked the Township to adopt an amendment that would shift a category of money with no overall impact to budget numbers.

Resolution R2012-92 Resolution to Amend Introduced Budget

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-92 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-92 was approved.

Mayor Mironov stated that the amendment did not change any of the numbers but merely shifted one item of revenue. She stated that the 2012 municipal budget totaled \$20,283,707. The budget represented a decrease in actual expenditures from the 2011 budget and was approximately one million dollars less than the 2009 budget. It did not contain any new positions or any new programs, and maintained the existing service levels. The budget represented an increase of approximately 1.7 cents on the municipal rate, so that the 2012 average residential tax would be approximately \$1,098, an increase of less than \$4 a month and less than \$47 annually on the average assessed home. The primary reason underlying the tax increase was not spending, as the Township's spending was down, but rather the decline in the fund balance. The balance had declined almost \$4,000,000 over the past 5 years. Some of this was attributable to the poor economy; however, most was related to the state withholding from the municipality tax receipts. These receipts were municipal monies which were collected for municipalities by the state and which were always dedicated to property tax relief, but were now not being properly returned to the municipalities. The state now kept approximately half of the money collected. In recent years, the state had reduced the money coming to the Township even further. In 2008, the funds were reduced by approximately \$300,000; in 2009, by over \$100,000; and in 2010, by over \$900,000. Using the statutory formula, East Windsor would be shorted \$2,800,000 in 2012, which equated to 10 cents on the municipal portion of the tax levy. This 10 cents equaled 25% of the tax imposed on residents. She stated that the Township continued to lobby the state to give back the money to the municipality and to the local taxpayers. She stated that Council felt the budget represented a responsible, fiscally conservative maintenance budget that well served the residents of the community. She noted that the areas of highest increase in the budget were gasoline and health insurance costs.

It was MOVED by ROSENBERG and seconded by YEAGER that 2012 Municipal Budget be adopted.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, the 2012 Municipal Budget was adopted.

Resolution R2012-60 Adoption of the 2012 Garbage District No. 1 Budget

Mayor Mironov declared open the public hearing on the 2012 garbage district budget. There being no public comment, she closed the public hearing.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-60 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-60 was approved.

Resolution R2012-86 Approval of Certified Participants List for Length of Service
Award Program (LOSAP)

Mayor Mironov stated that Council had a memorandum from the Finance Director with a certified list attached.

It was MOVED by LIPPMAN and seconded by YEAGER that Resolution R2012-86 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-86 was approved.

Resolution R2012-87 Action on Bids for the Provision and Installation of 6,108
Trees at Various Locations for East Windsor Township

Mayor Mironov stated that Council had a recommendation from the Public Works Director. She stated that the Township solicited bids for Phase II, to be funded with monies the Township would receive as a result of the removal of trees in connection with the Turnpike widening project. 14 bids were received. She asked Mr. Orron if all of the procedure matters had been satisfied.

Mr. Orron stated yes. He stated that the apparent low bidder was notified that they were not compliant.

Mayor Mironov asked if there was any one in the public who wished to speak on this matter. There was no one.

Mr. Rosenberg stated that this was a long-fought battle and thanked the Mayor for her hard work.

Mayor Mironov stated that there was still a third phase. She stated that they anticipated the project continuing over the next two planting seasons.

It was MOVED by ZOLLER and seconded by SHAPIRO that Resolution R2012-87 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-87 was approved.

Resolution R2012-91 Approval of Grant Agreement between East Windsor Township
and State of New Jersey Department of Environmental Protection
under the New Jersey No Net Loss Reforestation Program

Mayor Mironov noted this was one of the resolutions added to the agenda that night. She stated that the resolution was for the \$1,832,620 grant.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2012-91 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-91 was approved.

APPLICATIONS:

New Jersey Fireman's Association Membership Application for Bryan Jannell

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

It was MOVED by ROSENBERG and seconded by LIPPMAN that the application be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, the application was approved.

REPORTS BY COUNCIL AND STAFF:

Mr. Rosenberg stated that the East Windsor-Hightstown Memorial Day Parade Commission had met on April 10. He noted that they are currently looking for a grand marshal, and that there would be a military presence. Mayor Mironov noted that the grand marshal would be from Hightstown, as the municipalities alternate this responsibility.

Mr. Yeager stated that the Municipal Drug Alliance had met on April 4, at which time they talked about Operation Medicine Cabinet and a new county coalition called the Prevention Coalition. On April 11, the Recreation Committee met, at which time they discussed the 2012 events, including the Easter Egg hunt, the Independence Day celebration, the summer concerts, and summer camps.

CORRESPONDENCE: None

APPOINTMENTS: None

APPROVAL OF BILLS:

Listed for approval was a current 2012 bill list, as well as various other miscellaneous and trust account lists.

Mayor Mironov stated that on page 5 of the current bill list, there was a reimbursement listed; she noted the purpose of this should be listed. On page 9, there was a bill for \$289.98; she stated this would be pulled until her earlier question was answered.

It was MOVED by SHAPIRO and seconded by ZOLLER that the bills be approved as changed.

ROLL CALL: Ayes –Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

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

MATTERS BY COUNCIL:

Mayor Mironov stated that the County held an economic summit on April 12 hosted by the Princeton Chamber and Mercer County Chamber. Speakers discussed the economic future of the county and the state.

Mayor Mironov stated that Council had a clarification from the Chief of Police on some bills that had been questioned. Council had a tax collector report for the period ending March 31. They also had a partial road closure memorandum from the principal engineer aide for Wickham Lane. She noted that Council had also received some resolutions on the energy tax receipt restoration request, specifically from the County of Mercer and the Township of East Amwell.

Mayor Mironov stated that the Township would hold a second Passport Day on April 20. On Saturday, April 21, the Township would hold a Recycling Day at the senior center, including free paper shredding. Operation Medicine Cabinet and the annual spring clean-up would both be held on Saturday, April 28. The Better Beginnings Dinner was also scheduled for April 28; Mayor Mironov noted she would co-host this event with Hightstown Mayor Steven Kirson. On Thursday, May 10, Mayor Mironov would give the State of the Township address at the Holiday Inn. She urged people to participate in the Township Memorial Tree Grove program.

MATTERS BY PUBLIC: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Expanded Township Electronics Recycling Program

Mayor Mironov stated that Council had a memorandum on the program from her office. The program was a new recycling initiative, proposed by the Township Public Works Director. She stated that it would become effective May 1. The Township would work with Supreme Asset Management and Recovery to allow the Township to accept all electronic waste. Currently, the Township accepts televisions and computer-related equipment, which are items that now must be recycled. Under this new program, the Township would expand this list to include radios, stereos, appliances (including kitchen appliances and air conditioners), VCRs, DVD players, electronic games, copiers and fax machines, tape recorders, answering machines, and almost all other electronic items. These items can be dropped off at the public works facility on Ward Street, whenever the facility is open. The program, which would be open to all Township residents, has many benefits. It would remove from the waste stream large and bulky items. Also, tipping fees are based on tonnage, so the program would save the Township substantial money. The arrangement with Supreme Asset would generate a small amount of revenue for many of the recycled items. She noted that the recycling tonnage grant is also based on weight, so the program would generate a higher grant. She stated that previously, residents could take

these items to the county on a limited number of recycling days; this would be much more convenient.

Mr. Lippman commended the Public Works Director for thinking out of the box and putting the program together. He stated he assumed the program would be referenced in the e-news and the local public access channel.

Mayor Mironov agreed. She stated that at future recycling days, a container would be provided by Supreme Asset for such items. Supreme Asset would bring the container and take it away at the end of the day, whereas previously, the Township had to provide such services.

Mr. Yeager stated that this was a great item. He stated that the material noted that people are often worried about recycling computers, but that the company used very strict methods to make sure personal information was eliminated from hard drives and other devices.

Mayor Mironov agreed, but noted that residents should still do whatever they could to remove personal information, as the Township is not responsible.

2. New Jersey Division of Highway Traffic Safety Grant Program FY2013

Resolution R2012-88

Approval of Filing of Grant Application with New Jersey Division of Highway Traffic Safety for Bicycle Safety Program

Mayor Mironov stated that they had had success with this program before. She stated that the 2012 bicycle safety program had already been scheduled, using a prior grant. She stated that the Chief of Police provided 3 suggestions for 2012: first, for the bicycle safety program; second, for solar-powered school zone flashers; and third, for solar-operated speed radar displays. She noted that there was no limit for applications.

Mr. Rosenberg stated that he supported all three programs.

It was MOVED by YEAGER and seconded by ZOLLER that Resolution R2012-88 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being six (6) ayes and no nays, Resolution R2012-88 was approved.

Mayor Mironov asked if there was a deadline on the applications.

Mr. Fisher stated the deadline was April 30.

Resolution R2012-89

Approval of Filing of Grant Application with New Jersey Division of Highway Traffic Safety for Solar Operated School Zone Flashers

Council Meeting

April 17, 2012

Page 9

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-89 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no nays, Resolution R2012-89 was approved.

Resolution R2012-90

Approval of Filing of Grant Application with New Jersey
Division of Highway Traffic Safety for Solar Operated
Permanent Mount Speed Radar Displays

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-90 be approved.

ROLL CALL: Ayes – Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov

Nays – None

There being six (6) ayes and no nays, Resolution R2012-90 was approved.

There being no further business Mayor Mironov adjourned the meeting at 9:00 p.m.

Alan M. Fisher
Acting Municipal Clerk

Janice S. Mironov
Mayor