

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, March 7, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on March 7, 2012.

Municipal Clerk Cindy Dye certified that the meeting was noticed in a Special Meeting Notice. Notice was sent to the Trenton Times, filed with the Municipal Clerk and posted in the East Windsor Township Municipal Building on February 13, 2012. All requirements of the "Open Public Meetings Act" were satisfied.

Ms. Linda Caffrey led the flag salute.

Present were: Mayor Janice S. Mironov, Deputy Mayor Perry Shapiro and Council Members , Marc Lippman, Alan Rosenberg, 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.

PROCLAMATIONS:

American Red Cross Month – March 2012

Mayor Mironov presented the proclamation at an outside event.

Women's History Month – March 2012

Mayor Mironov presented a proclamation for Women's History Month. Mayor Mironov honored attendees Freeholder Ann Cannon, Freeholder Lucylle Walter, County Clerk Paula Salumi-Covello, Freeholder Elizabeth Maher Muoio, and Senator Linda Greenstein.

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

PUBLIC FORUM:

Ms. Linda Caffrey of 110B the Orchard asked about possible improvements to the Township website. She noted that the most recent minutes available on the website were from December. She also noted that some of the print features do not work. She asked if the nameplates for the Township Clerk, Manager, and Attorney could somehow be faced so that residents could see them.

Senator Linda Greenstein spoke about municipal energy tax receipts.

MINUTES:

Mayor Mironov stated that the following minutes would be rescheduled: January 1, 2012, January 10, 2012, January 24, 2012, January 24, 2012 (Closed Session), February 7,

2012, February 7, 2012 (Closed Session), February 18, 2012 (Budget Session), February 21, 2012 (Budget Session), and February 21, 2012.

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2012-3 Bond Ordinance Providing for Various Capital Improvements of the Township of East Windsor, In the County of Mercer, New Jersey, Appropriating the Aggregate Amount of \$1,416,860 Therefor and Authoring the Issuance of \$1,345,017 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Mayor Mironov stated that Ordinance No. 2012-3 was introduced on February 21, 2012. She opened the public portion of the hearing. There being no public comment, she closed the public hearing.

Mr. Lippman stated that this ordinance had been discussed in great detail previously.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Ordinance No. 2012-3 be adopted and authorized for publication as required by law.

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

There being six (6) ayes and no nays, Ordinance No. 2012-3 was adopted and authorized for publication as required by law.

RESOLUTIONS:

Resolution R2012-49 Approval of Agreement with Stonegate Homeowners Association for Reimbursement for Private Community Services for 2011

Mayor Mironov stated that the numbers were reviewed previously. She asked Mr. Orron to address any issues regarding council members living within these developments.

Mr. Orron stated that all reimbursements are based on a uniform formula and are not discretionary from one development to another. Therefore, all members are eligible to vote, regardless of address.

It was MOVED by LIPPMAN and seconded by YEAGER that Resolution R2012-49 be adopted.

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

There being six (6) ayes and no nays, Resolution R2012-49 was adopted.

Resolution R2012-50 Approval of Agreement with Windsor Mill Condominium Association for Reimbursement for Private Community Services for 2011

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2012-50 be adopted.

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

There being six (6) ayes and no nays, Resolution R2012-50 was adopted.

Resolution R2012-51 Approval of Interlocal Services Agreement with Hightstown Borough for Senior Program/Center Services

Mayor Mironov stated the Council had received a signed agreement from Mayor Kirson.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2012-51 be adopted.

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

There being six (6) ayes and no nays, Resolution R2012-51 was adopted.

Resolution R2012-52 Approval of Purchase of Replacement Automated External Defibrillators for the East Windsor Police Department with LifeSavers, Inc.

Mayor Mironov stated there was a recommendation from the Chief of Police. She stated these funds had been included in a prior capital funds approval. She stated language needed to be added regarding the Chief of Police's recommendation.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-52 be adopted as corrected.

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

There being six (6) ayes and no nays, Resolution R2012-52 was adopted as corrected.

Resolution R2012-53 Approval of Purchase of Desktop Computers and Related Software for the Police Department

Mayor Mironov stated there was a recommendation from the Chief of Police and the Court. She stated language needed to be added regarding the Chief of Police's recommendation. She asked Mr. Fisher to check the Finance Officer's certification.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-53 be adopted as corrected.

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

There being six (6) ayes and no nays, Resolution R2012-53 was adopted as corrected.

Resolution R2012-54 Authorizing Employment Agreement with Executive Director of East Windsor Police Athletic League

Mayor Mironov stated there were some corrections to the materials. She noted the resolution should be 4 pages. She stated Mr. Zoller had pointed out that the term needed to be consistent; the corrected materials showed the correct term of February 16, 2012 to February 16, 2015.

Mr. Lippman noted that Lieutenant Funda has done a very good job in the past.

Mr. Yeager stated he was active with the PAL and praised the job done by the PAL.

Mayor Mironov thanked Lieutenant Funda and all the volunteers for their good work.

It was MOVED by YEAGER and seconded by LIPPMAN that Resolution R2012-54 be adopted as corrected.

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

There being six (6) ayes and no nays, Resolution R2012-54 was adopted.

Resolution R2012-55 Refund of Tax Overpayments

It was MOVED by SHAPIRO and seconded by YEAGER that Resolution R2012-55 be adopted.

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

There being six (6) ayes and no nays, Resolution R2012-55 was adopted.

Resolution R2012-56 Approval of Purchase of Uniforms for the East Windsor
Public Works Department with Professional Service Wear

Mayor Mironov stated Resolution R2012-56 would be held as additional materials were needed.

Resolution R2012-57 Approval of Lease Agreement with Mercer County for the
Nutrition Program at the East Windsor Senior Center

Mayor Mironov stated the agreement was for 2 years. She asked that language be added indicated that it was a 2-year agreement for January 1, 2012 through December 31, 2013.

It was MOVED by ROSENBERG and seconded by ZOLLER that Resolution R2012-57 be adopted as corrected.

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

There being six (6) ayes and no nays, Resolution R2012-57 was adopted as corrected.

APPLICATIONS:

New Jersey Firemen's Association Membership Application for Robert Pycior

Mayor Mironov asked if the application was in order.

Ms. Dye stated yes.

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

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

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

Raffle License RL:363 Animal Friends for Education and Welfare (A.F.E.W.) –
April 21, 2012 at 203 Windsor Center Drive, East Windsor,
New Jersey, Off-Premise 50/50 Raffle

Mayor Mironov asked if the application was in order.

Ms. Dye stated yes.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Raffle License
RL:363 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-57 was adopted.

REPORTS BY COUNCIL AND STAFF:

Mr. Rosenberg stated the Commission on Aging met on February 23, at which time they
discussed the senior directory.

Mr. Zoller stated that the Environmental Commission sent 3 members for a workshop the
previous Saturday given by the Association of New Jersey Environmental Commissions.

Mayor Mironov stated that the Clean Communities Committee met on February 23. The
new chairperson is Barry Fliegelman. She stated that they received notice of their 2012
grant. She stated that the Committee reviewed the Adopt-a-Spot wrap-up event from
January 26 and discussed the kick-off for the 2012 Adopt-a-Spot program. She stated
that the 2012 Recycling Day has been scheduled for April 21, and that the grant-funded
2012 budget expenditures were approved. She noted that the elementary school recycling
poster contest was underway.

Mayor Mironov stated that the Economic Development Committee met the previous
Thursday and discussed the Township map as well as a business networking event for
April.

Mayor Mironov reminded everyone of the State of the Township address on May 10.

CORRESPONDENCE: None

APPOINTMENTS:

Mayor Mironov appointed Peter Lane as an auxiliary for the Commission on Aging for a
term expiring December 31, 2012.

APPROVAL OF BILLS:

Listed for approval were the current 2012 bill list dated March 1, 2012, the current 2011 bill list dated March 1, 2012, and a one-page capital bill list dated March 1, 2012, as well as various miscellaneous trust fund and bill lists.

Mayor Mironov asked Mr. Fisher to investigate an item on the capital bill list for “DPW facilities and permits energy efficiencies”. She asked if this was part of the overall upgrades.

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

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

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

MATTERS BY COUNCIL:

Mayor Mironov stated there was a report from the Tax Collector for 2011 annual statement.

Mayor Mironov stated that the Council had a letter from the Delaware Valley Regional Planning Commission approving a \$100,000 planning grant to study the areas affected by the Turnpike widening project. She stated that Council also received a letter from Senator Greenstein acknowledging the Township resolution regarding energy tax receipts.

Mayor Mironov stated that notice was given that on March 14 at the senior center there would be an East Windsor-Hightstown meeting regarding the Route 33 Revitalization Plan. She reminded everyone that March is gun safety month and that the Township is distributing free gun locks. She noted that on April 4, the Township would host a passport day for residents. She stated that the Township was soliciting nominations for the Sylvia Weiss award, and was in the middle of the recycling day poster contest.

MATTERS BY PUBLIC: None

DISCUSSIONS ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Sustainable Raritan River Initiative
Resolution R2012-58 A Resolution to Support in Concept the Sustainable Raritan River Initiative

Mayor Mironov stated the Council has some materials. She stated that it was a Rutgers University-sponsored project. She noted that she had spoken to Judy Shaw and indicated that once the resolution was adopted, there would be discussions to see how the Township could most benefit from the Initiative. She suggested Mr. Zoller and the Environmental Commission look into the materials.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2012-58 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-58 was adopted.

2. ANJEC 2012 Sustainable Land Use Planning Grants for Municipalities Program

Mayor Mironov stated that the topic would be held as the Environmental Commission was still reviewing the matter. She noted that Council did have a memo from the Township Manager indicating what would be necessary should the Council pursue the application.

3. East Windsor National Night Out

Mayor Mironov stated that National Night Out would be August 7.

Mr. Lippman stated that he felt National Night Out was one of the top events that the Township held, and that attendance by residents showed this. He stated he fully supported it.

Mr. Rosenberg seconded Mr. Lippman's comments and stated it was one of his favorite community events.

Mr. Zoller asked where it would be held.

Mayor Mironov stated that she was going to raise the location as a topic of discussion. She noted the EWPAL fields were a choice.

Mr. Yeager stated that the previous year, the EWPAL fields offered a lot of space for demonstrations and for children to move about, as well as good parking.

Mr. Zoller stated that the previous location of the EWPAL fields was an excellent location, as there was no concern about safety or anyone crossing any roadways.

The Council agreed to hold the National Night Out at the EWPAL fields.

Mayor Mironov stated that Detective Gorski would coordinate the event again this year.

4. Township Bicycle Safety Program

Mayor Mironov stated the Township was awarded a \$10,000 grant by the New Jersey Highway Traffic Safety Division for use for a bicycle safety program. She noted that the Township had previously focused on this issue. She stated Council had an outline for a 3-component program similar to that done in the past. The first component, "Use Your Head", is a helmet giveaway for children. Phase 2 is mock summonses where children pledged to wear their helmets and were entered in a raffle for prizes. Phase 3 is "Bike at Night, Use a Light", which was addressed to the entire community. She stated that this program would kick off in May, which is bicycle safety month, and would last 3 months.

Mr. Rosenberg stated this was a great program and got children involved in an important safety matter.

Mayor Mironov stated that they had gotten feedback that her presence as well as that of the Chief of Police during the helmet giveaways made a big impact.

Mr. Lippman stated that at the previous helmet giveaway, the children were very excited to be there.

Mr. Yeager stated that he also liked the "Bike at Night" part, as it was for the whole community.

Mr. Shapiro stated that the "Bike at Night" program is very useful.

Mr. Rosenberg stated he felt the "Bike at Night" program seemed to be really working as he saw more and more bikers with lights.

The Council agreed to move forward with the program.

5. 2012 Municipal Budget

Mayor Mironov stated that there have been several workshop sessions and that the budget had been reviewed page by page. She noted that there were some new materials dated February 29. She noted that Council had a certification from the state for calendar years 2011 and 2012. She stated that as of the previous year, the state had taken away all but \$1,358 of the CMPTRA funds, which monies were then added to the energy receipts column. She noted that they did this every year by taking the increase the municipality was supposed to receive in energy receipts, reducing it from the CMPTRA column, and

adding it to the energy receipts column. She noted the benefit was that if there was a penalty on these funds, the Township would be unaffected as they now did not get any CMPTRA labeled funds. She also noted that this underscored that the state was also aware that this was an issue.

Mayor Mironov referenced "Group Insurance" under page 13. She asked Mr. Fisher about the money transferred to the current fund, and asked how this showed up on a budget. Mr. Fisher stated he would find out.

Mayor Mironov noted changes on pages 18, 20, 22, 32, 34, 36, 37, 43, 47, 49, and 52. She stated that she wanted to reinforce that the staff needed to review the overtime and how they could reduce it. She asked Mr. Fisher for a breakdown on the number of inspections, the price per inspection, and the total amount for housing inspections. She asked if the numbers for the utilities are the numbers through December 31, 2012. Mr. Fisher stated he believed they were.

Mayor Mironov asked for information about \$35,000 transferred from Clean Communities into the budget.

Mayor Mironov stated that all of the changes had been made and incorporated into the budget, and that the Council had up-to-date revenue numbers from the audit and from the state. The budget is as follows: proposed appropriations for 2012 total \$20,283,707. If the money included for the camera program is removed, the budget actually represents a decrease of \$39,000 from the 2011 budget. It is also over a million dollars less than the 2009 budget. The budget would result in a 2012 municipal tax rate of 41.6 cents, which would reflect an increase of 1.8 cents from the 2011 rate, or a 2012 residential tax of \$1,098, compared to \$1,051 in 2011, for the average assessment at \$264,000. She stated that the 2012 tax base is down by \$29 million from 2011. This reduction in value, by itself, would result in a tax increase of .4 cents, if the budget were the same. The budget uses over \$600,000 less in fund balance than the 2011 budget. The fund balance has been in serious decline over the past 5 years as a result of the decrease in township revenues due to the economic downturn but also in large part due to the state's withholding of the energy tax receipts. Between the CMPTRA and the energy tax receipts, the Township lost \$905,000 in 2010; money was also lost in 2008 and 2009. Over the past 5 years, the fund balance has declined almost \$4 million. The budget is over \$3.5 million under the state municipal expenditure limitation law. The budget is also under the property tax levy cap.

Mayor Mironov noted some major appropriation increases. She noted that the Township is in the state health benefits program, which is a great savings, but there is still an increase of over \$150,000. The Township reserve for uncollected taxes is up by over

\$83,000; she noted that they are required to keep a reserve to pay the schools and the county. This reserve account in the 2012 budget is \$937,098. She stated this was not a spending item but a required item for which the Township must tax its residents. Gasoline is up by over \$86,000. She stated that the budget would not provide any new positions or new programs. It would also not remove any programs. She stated that the budget represented a responsible, fiscally conservative maintenance budget that will well serve the residents. She stated these were very stressful times and that it was difficult for those at the municipal level much as it is for residents. She stated she had previously spoken about the energy tax receipts but that she would stress that in only going back 10 years, if the statute from 2002 were honored, the Township would receive an additional \$2,828,688 in 2012, which represents about 10 cents on the municipal tax rate and accounts for about 25% of the property tax imposed on residents.

Mr. Lippman stated that the Council took the budget very seriously, investigating every possible avenue. He stated he is very comfortable with the budget and was proud of the work done by Mayor and Council. He stated they would keep working to get the state-appropriated funds back but that they would work with what they had.

Mr. Yeager stated that given the increases in items out of Council's control, such as gasoline prices and health care costs, to see such a small increase with services maintained was very dramatic. He noted that he had read about other communities facing large increases. He stated he was very comfortable with the budget.

Mr. Shapiro stated that every year it becomes harder and the small increase in the budget was due to the work of the Mayor and the Manager. He stated it was sad that the Township was hammered by the economy, for which no one was to blame, but also by the state. He stated he felt the Township was "the rich uncle" who was unfairly relied-upon for the follies of others. He stated he felt the budget was the best that could be done under the current circumstances.

Mr. Zoller stated he was impressed with the process and the time spent by the Mayor, Council, and the Manager's office on the budget. He noted that to only have a \$4 a month tax increase was a tremendous accomplishment.

Mr. Rosenberg thanked the Mayor and the Manager for their work. He agreed with Mr. Shapiro that it became harder every year but that the Council was getting better and better at working the numbers.

Mayor Mironov thanked Mr. Fisher and the Township staff for their work, and thanked the department heads for the sensitivity to the budget situation and for keeping expenditures low.

The Council agreed to move forward with the budget.

6. 2012 Garbage District Budget

Mayor Mironov asked if there were any questions. There were none.

The Council agreed to move forward with the budget.

There being no further business Mayor Mironov adjourned the meeting at 9:30 p.m.

Alan M. Fisher
Acting Municipal Clerk

Janice S. Mironov
Mayor