

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, May 15, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on May 15, 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.

Sergeant Eric Lion 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:

Administering of Oath of Office to New Police Sergeant - Mayor Mironov swore in Sergeant Eric Lion.

Emergency Medical Services Week – May 20 to 26, 2012

Recognizing East Windsor Rescue Squad, District I EMT of the Year

Recognizing East Windsor Rescue Squad, District II EMT of the Year

Mayor Mironov stated that this was an opportunity to recognize the two emergency medical rescue squads in the Township and the great work that the volunteers do. She also recognized the EMTs of the Year, Kira Behen and Amanda Brooks.

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

PUBLIC FORUM: None

MINUTES:

February 7, 2012

It was MOVED by LIPPMAN and seconded by ROSENBERG that the minutes of February 7, 2012, with revisions dated May 4, 2012, be approved.

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

There being six (6) ayes and no nays, the minutes of February 7, 2012, with revisions dated May 4, 2012, were approved.

Mayor Mironov stated the following minutes would be rescheduled: February 18, 2012 (Budget Session), February 21, 2012 (Budget Session), February 21, 2012, March 7, 2012, March 20, 2012, April 3, 2012, April 17, 2012, May 1, 2012, and May 1, 2012 (Closed Session).

ORDINANCES – PUBLIC HEARING:

Ordinance No. 2012-7 An Ordinance Amending and Supplementing Chapter X – Traffic, Schedule XIV Mid-Block Crosswalks, of the Revised General Ordinances of the Township of East Windsor

Mayor Mironov stated that Council had a revised ordinance; she noted the revisions pertained to format, and had been discussed at the previous meeting. She stated that the ordinance, which established a mid-block crosswalk to connect Etra Lake Park and the new Disbrow Hill playing fields, was introduced on May 1, 2012, at which time the public hearing was set for tonight. She declared the public hearing on Ordinance 2012-7 open. There being no comments, Mayor Mironov closed the public hearing.

It was MOVED by ROSENBERG and seconded by YEAGER that Ordinance No. 2012-7 be adopted and authorized for publication by law.

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

There being six (6) ayes and no nays, Ordinance No. 2012-7 was adopted and authorized for publication by law.

RESOLUTIONS:

Resolution R2012-100 Authorizing Approval of Professional Services Agreement for the Reconstruction and Resurfacing of Dutch Neck Road between Hickory Corner Road and Oak Creek Road

Mayor Mironov asked Mr. Fisher if he supported the recommendation from the Public Works Director. Mr. Fisher stated he did. Mayor Mironov stated that the request for proposals was not attached, and asked if it should be as this was the original scope of work. Mr. Fisher agreed this was normally part of the agreement. Mayor Mironov stated that the agreement was for engineering design work in connection with the \$220,000 grant received by the NJDOT. She noted that the recommended bid was the lowest bid.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-100 be approved with changes and with the request for proposals attached.

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

There being six (6) ayes and no nays, Resolution R2012-100 was approved.

Resolution R2012-101 Approval of Purchase of Asphalt for the Public Works Department

Mayor Mironov stated the Council had a recommendation from the Public Works Director. She noted that there was also an update regarding the funding source. She stated the asphalt would be used to fill pot holes.

Council Meeting

May 15, 2012

Page 3

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2012-101 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-101 was approved.

Resolution R2012-102 Approval of Purchase of Replacement Gutters for the Public Works Department with A&M Seamless Gutters, Inc.

Mayor Mironov stated there was a recommendation from the Public Works Director.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2012-102 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-102 was approved.

Resolution R2012-103 Approval of Purchase of Dump Truck with Plow and Spreader for the Public Works Department

Mayor Mironov stated there was a recommendation from the Public Works Director. She asked Mr. Fisher if he supported the recommendation. Mr. Fisher stated he did.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2012-103 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-103 was approved.

Resolution R2012-104 Chapter 159 – Amending the 2012 Municipal Budget Providing an Item of Revenue and Appropriation for the 2012 Clean Communities

Mayor Mironov stated the resolution allowed the Township to insert the grant into the budget so it could be spent.

It was MOVED by YEAGER and seconded by ROSENBERG that Resolution R2012-104 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-104 was approved.

Resolution R2012-105 Chapter 159 – Amending the 2012 Municipal Budget Providing an Item of Revenue and Appropriation for the 2012 East Windsor Senior Center

Mayor Mironov stated the resolution allowed the Township to insert a \$5,000 donation into the budget so it could be spent.

It was MOVED by ROSENBERG and seconded by ZOLLER that Resolution R2012-105 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-105 was approved.

Resolution R2012-106 Action on Request for Release of Performance Guarantees for Toll Brothers, Inc. – Riviera at East Windsor Phase 2

Mayor Mironov stated the Council had a corrected resolution. She stated that there was a sign-off from the Homeowners Association and a report from the Township Engineer. She stated that the outstanding issues had been addressed. She asked if the affordable housing fees had been paid. Ms. Dye stated they had.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2012-106 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-106 was approved.

Resolution R2012-107 Action on Request for Release of Performance Guarantees for Toll Brothers, Inc. – Riviera at East Windsor Phase 4

Mayor Mironov stated that for Resolutions R2012-107 through R2012-11, the same comments applied as those discussed for Resolution R2012-106.

It was MOVED by YEAGER and seconded by SHAPIRO that Resolution R2012-107 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-107 was approved.

Resolution R2012-108 Action on Request for Release of Performance Guarantees for Toll
Brothers, Inc. – Riviera at East Windsor Phase 5

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2012-108 be
approved.

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

There being six (6) ayes and no nays, Resolution R2012-108 was approved.

Resolution R2012-109 Action on Request for Release of Performance Guarantees for Toll
Brothers, Inc. – Riviera at East Windsor Phase 6

It was MOVED by YEAGER and seconded by LIPPMAN that Resolution R2012-109 be
approved.

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

There being six (6) ayes and no nays, Resolution R2012-109 was approved.

Resolution R2012-110 Action on Request for Release of Performance Guarantees for Toll
Brothers, Inc. – Riviera at East Windsor Phase 7

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2012-110 be
approved.

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

There being six (6) ayes and no nays, Resolution R2012-110 was approved.

Resolution R2012-111 Action on Request for Release of Performance Guarantees for Toll
Brothers, Inc. – Riviera at East Windsor Phase 8

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2012-111 be
approved.

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

There being six (6) ayes and no nays, Resolution R2012-111 was approved.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Mr. Rosenberg stated that the East Windsor-Hightstown Memorial Day Parade Committee met on May 8 and confirmed one of the grand marshals.

Mr. Yeager stated that the Recreation Committee met on May 9, at which time they discussed the Independence Day celebration and the summer concert and Family Night at the Park series. He stated that the Municipal Alliance also met on May 9, at which time they discussed their first quarter reports and heard from a guest speaker from the Mercer County Prevention Coalition.

Mr. Shapiro stated that the Planning Board had met on May 15, at which time they approved the conversion application brought by Toll Brothers, Inc.

Mr. Zoller stated that the members of the Environmental Commission met at the PAL Fields on May 12 to celebrate Arbor Day, including a give-away of 100 trees. This program is part of the Township community forestry management plan.

Mayor Mironov stated that the Economic Development Committee met on May 3 and reviewed a recent business event. Mr. Yeager noted that he and Mr. Zoller had attended this event and thanked Shiseido for sponsoring the event. Mr. Zoller stated that one of the highlights of the evening was the new Township map.

Mayor Mironov stated that several Council members had attended the Better Beginnings Gala. She stated that the Township had kicked off the bicycle safety program, and noted there had been 2 helmet giveaways already. An additional session was scheduled for May 22. She stated that the program had been very well-received and very effective, noting that not only did they give away helmets but also teach families how to properly use them. She stated that she delivered the State of the Township address on May 10 and thanked the Mercer County Chamber of Commerce for sponsoring the event. She stated the spring clean-up event had generated 553 pounds of trash, with 50 volunteers participating.

CORRESPONDENCE: None

APPOINTMENTS: None

APPROVAL OF BILLS:

Listed for approval were a current 2012 bill list dated May 10, 2012; a current 2011 bill list dated May 10, 2012; and a capital bill list dated May 10, 2012, as well as various other miscellaneous and trust account lists.

Mr. Zoller stated that he studied the bills looking for ways to reduce expenditures. He noted he had no objection to the bills but that a large amount of money was listed for postage and

envelopes for tax bills. He asked if there was any way to save money by making these bills available electronically. Mayor Mironov stated that the Township was regulated by certain state and local laws but that they could investigate this.

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

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

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

MATTERS BY COUNCIL:

Mr. Zoller stated he would like to express his happiness with the planting of Township trees by the Riviera at East Windsor property on One Mile Road. He noted that planting had been done in the last two weeks and praised the layout of the trees. Mayor Mironov thanked him and noted she had also heard from the Riviera Grounds Committee. She stated the 375 trees were part of the Township reforestation plan underwritten by funds from the Turnpike widening project.

Mayor Mironov stated the Council had a receipt report from the Tax Collector for the period ending May 8, 2012, as well as a 2012 annual report of uncollectable taxes. She stated a memorandum was received from the Public Works engineering aide regarding a partial road closure on Oak Creek Road. She stated a communication was received from Sustainable Jersey regarding an upcoming grant program with a deadline of July 15; she noted this was shared with Council, the Environmental Commission and staff so that ideas could be discussed. She noted this should be put on the agenda for the end of June. She stated the Council had a copy of the fueling facility shared services agreement with the Borough of Hightstown.

MATTERS BY PUBLIC: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Township Housing Plan and Trust Fund

Resolution R2012-112 Authorizing Approval of Professional Services Agreement
for Housing Rehabilitation Administration Services

Mayor Mironov stated this had been previously discussed over the last few months. She stated the Township had solicited information and that the Council had comments from the Manager. She stated that the Council had an amended resolution but that she had some additional changes. Under “now, therefore”, item 1, subsection b, the language should read, “phase 1 shall not commence until a written approval to proceed letter is received from the Mayor”. Under subsection c, the language should read, “phase 2 shall not commence until written approval is provided by resolution from the Mayor and Council”. The Council agreed with the changes.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2012-112 be approved as corrected.

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

There being six (6) ayes and no nays, Resolution R2012-112 was approved as corrected.

Resolution R2012-113 Approval of Memorandum Agreement with Community
Investment Strategies for Senior Housing

Mayor Mironov stated the Council had the last page of the agreement and noted a change had been made under paragraph K.

It was MOVED by SHAPIRO and seconded by ZOLLER that Resolution R2012-113 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-113 was approved.

Resolution R2012-114 Approval of Spending Plan for Development Fees for
Affordable Housing

Mayor Mironov stated that this was a follow-up to the staff review and Council consideration of the subject.

It was MOVED by YEAGER and seconded by ROSENBERG that Resolution R2012-114 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-114 was approved.

2. Senate Bill S-1900, Increasing Distributions to Municipalities from Energy Tax Receipts
Property Tax Relief Fund

Resolution R2012-115 Supporting Senate Bill S-1900 Increasing Distributions to
Municipalities from Energy Tax Receipts Property Tax
Relief Fund

Mayor Mironov stated the primary bill sponsor was Senate Budget Chair Paul Sarlo, with the co-sponsor being Senator Linda Greenstein. She stated this was a resolution of support and that the Council had a revised copy. Mr. Rosenberg stated he sometimes felt skeptical that the Township would be heard but that there seemed to be a groundswell of support. He thanked the Mayor for her continual efforts. Mayor Mironov stated the bill was scheduled for a hearing on May 17 before the Senate Budget Committee.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2012-115 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-115 was approved.

3. Request for Leave

Mayor Mironov stated that the Council had materials from the Manager. She stated that the motion would approve a request for 12 weeks of leave without pay, to begin after the use of all sick, vacation, or personal time.

It was MOVED by LIPPMAN and seconded by SHAPIRO that the request for leave be approved.

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

There being six (6) ayes and no nays, the request for leave was approved.

Mayor Mironov stated that the Clerk had alerted her that there was an error in the Council calendar; the meeting of June 5 could be held but the Clerk would not be available due to the election. Mayor Mironov suggested changing the meeting to the following night, Wednesday, June 6. She stated that a change had already been made moving the second June meeting from June 19 to June 26. Therefore, the two June Council meetings would be Wednesday, June 6 and Tuesday, June 26.

There being no further business Mayor Mironov adjourned the meeting at 9:27 p.m.

Alan M. Fisher
Acting Municipal Clerk

Janice S. Mironov
Mayor