

EAST WINDSOR TOWNSHIP COUNCIL

October 2, 2012

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on October 2, 2012.

Assistant to the Municipal Clerk Joseph Kostecki certified that the meeting was noticed in the Annual Meeting Notice. Notices were 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.

Donna Suk led the flag salute.

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

PRESENTATIONS & PROCLAMATIONS:

Retirement of Municipal Court Administrator Donna Suk

Mayor Mironov honored Donna Suk on her retirement, thanking her for her high caliber, diligence, and conscientious dedication during her 23 years of service to the court. She further expressed her appreciation for her important role in the renovation of the court and wished her a happy and fulfilling retirement.

Fire Prevention Week - - October 7-13, 2012

Recognizing East Windsor Volunteer Fire Company No. 1
Firefighter of the Year James J. McCann

Mayor Mironov congratulated Mr. McCann on his dedication towards the residents of East Windsor, reflecting on his honed skills since his inception with the Fire Company 1 in 1997. She further expressed his well-grounded professionalism and as such is worthy of the Fire Fighter of the Year recognition.

Recognizing East Windsor Volunteer Fire Company No. 2
Firefighter of the Year Eric Coran

Mayor Mironov congratulated Mr. Coran on his outstanding record as a Fire Fighter, and this recognition is reflected by his fellow members selecting him for this award due to his exceptional service. Mayor Mironov further expressed recognition of Mr. McCann's Fire Fighter statistics which speaks volumes towards his dedication and tremendous active leadership role in the Company.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Presentation by Mitchell Nicklaus, Boy Scout Troop 5700, of Eagle Project

The Mayor acknowledged Boy Scout Mitchell Nicklaus of Troop 5700. Mitchell provided printouts and presented his Eagle Scout project proposal to design, build and install a scoreboard at the Disbrow Hill playing field. The scoreboard will be 7 feet tall by ten feet wide and will be colored blue and white. The presentation described a three month process that included obtaining permits, fundraising and recruitment of volunteers to complete the project.

Mayor Mironov stated she was excited to have her office supply this project as part of an ongoing list of proposed projects for scouts, and thanked him for his excellent presentation.

It was MOVED by ZOLLER and seconded by ROSENBERG that the Eagle Scout Project to construct and install a scoreboard at the Disbrow Hill Playing Field be endorsed.

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

INTERVIEWS FOR BOARDS AND COMMISSIONS: None

PUBLIC FORUM: None

MINUTES:

May 15, 2012

It was MOVED by ROSENBERG and seconded by ZOLLER that the May 15, 2012 minutes be approved with revisions dated September 18, 2012

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

There being five (5) ayes, no nays and one (1) abstention, the May 15, 2012 minutes were approved with revisions dated September 18, 2012

June 26, 2012

It was MOVED by YEAGER and seconded by DUKE that the June 26, 2012 minutes be approved with revisions dated c

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

There being six (6) ayes and no nays, the June 26, 2012 minutes were approved with revisions dated September 20, 2012

Mayor Mironov stated that the June 26, 2012, July 10, 2012, August 7, 2012, September 5, 2012, September 5, 2012 (Closed Session), September 18, 2012, would be held.

RESOLUTIONS:

Resolution R2012-195 Approval of Agreement with the State of New Jersey for Installation of Traffic Signal at New Jersey Route 33 and Milford Road

Mayor Mironov requested to add wording to the third paragraph which states, “which incorporates all the prior turning movements at said intersection.”

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2012-195 be approved with correction.

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

There being six (6) ayes and no nays, Resolution R2012-195 was approved with correction.

Resolution R2012-196 Approval of Filing of Application with New Jersey Department of Transportation Under FY2013 Local Municipal Aid Program for Yorkshire Drive

Mayor Mironov stated this application was important to obtain funding that will improve Yorkshire Drive. She further expressed that this is Priority One in filing with New Jersey Department of Transportation, and funding is important as this area is a major thoroughfare and route to Kreps School.

It was MOVED by DUKE and seconded by ZOLLER that Resolution R2012-196 be approved as Priority One Roadway Project and subject to review and approval.

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

There being six (6) ayes and no nays, Resolution R2012-196 was approved with stated conditions.

Resolution R2012-197 Approval of Filing of Application with New Jersey Department of Transportation Under FY2013 Local Municipal Aid Program for Hickory Corner Road

Mayor Mironov stated the approval of this Resolution would be conditional upon the Mayor’s review of the application, and that this application would be placed as Priority Two.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-197 be approved as Priority Two Roadway Project and subject to review and approval.

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

There being six (6) ayes and no nays, Resolution R2012-197 was approved with stated conditions.

Mayor and Council, which had favored Woods Road bikeway at prior Council meeting, had directed Manager to contact New Jersey Department of Transportation to determine if two bikeway applications were allowed and would not adversely affect Township, and any insight as to which application was more likely to be funded and the chances of a successful application. With direction by Mayor and Council, Resolution R2012-198 was changed to R2012-198B and further added Resolution R2012-198A to reflect Woods Road Bikeway as Priority one for the Bikeway Program grant application, to correct staff errors in not following Mayor and Council direction from September 18 Council Meeting.

Resolution R2012-198A Approval of Filing of Application with New Jersey Department of Transportation Under FY2013 Local Bikeway Program for the Woods Road Bikeway

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-198A be approved subject to Mayor's review and approval.

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

There being six (6) ayes and no nays, Resolution R2012-198A was approved as priority one and subject to Mayor's review and approval.

Resolution R2012-198B Approval of Filing of Application with New Jersey Department of Transportation Under FY2013 Local Bikeway Program for the One Mile Road Bikeway

It was MOVED by ZOLLER and seconded by ROSENBERG that Resolution R2012-198B be approved subject to Mayor's review and approval.

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

There being six (6) ayes and no nays, Resolution R2012-198B was approved subject to the Mayor's review and approval.

Mayor Mironov stated Resolution R2012-198B would be submitted in addition to Resolution R2012-198A only if the Township can file two applications without negative consequences.

Resolution R2012-199 Approval of Filing of Application with New Jersey Department of Transportation Under FY2013 Safe Streets to Transit Program for the Route 571 Sidewalk Extension

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-199 be approved subject to the Mayor's review and approval of application.

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

There being six (6) ayes and no nays, Resolution R2012-199 was approved subject to the Mayor's review and approval of application.

Resolution R2012-200 Approval of Maintenance Service Agreement for Phone and Voicemail Systems with NACR for the East Windsor Police Department

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-200 be approved with correction.

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

There being six (6) ayes and no nays, Resolution R2012-200 was approved with correction.

Resolution R2012-201 Approval of Public Donor Agreement between Better Beginnings Day Care and East Windsor Township

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2012-201 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-201 was approved.

Resolution R2012-202 Approval of Amendment to Professional Services
Agreement for Labor Counsel

It was MOVED by ZOLLER and seconded by LIPPMAN that Resolution R2012-202 be approved with corrections.

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

There being six (6) ayes and no nays, Resolution R2012-202 was approved with corrections.

Mayor Mironov requested changes in the agreement to reference the Resolution number, date adopted and actual date of agreement of January 24, 2012. Mayor Mironov further stated that the approval of this Resolution is contingent on the Township Manager identifying off-setting revenue.

Resolution R2012-203 Authorizing the Purchase of Uniforms from Professional
Serviceware, Inc. for the East Windsor Department of
Public Works

Mayor Mironov stated Serviceware is an East Windsor business that has provided services for the Township in a satisfactory manner. The Director of Public Works provided a spreadsheet stating comparative costs and showed Serviceware as the lowest priced vendor.

It was MOVED by YEAGER and seconded by LIPPMAN that Resolution R2012-203 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-203 was approved.

Resolution R2012-204 Appointment of Deputy Clerk

It was MOVED by YEAGER and seconded by LIPPMAN that Resolution R2012-203 be approved.

Mayor Mironov noted the Township's extensive vetting process to fill this position and the recommendation.

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

There being six (6) ayes and no nays, Resolution R2012-204 was approved.

Resolution R2012-205 Closed Session (Attorney-Client Privilege)

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2012-205 be approved.

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

There being six (6) ayes and no nays, Resolution R2012-205 was approved.

APPLICATIONS: NONE

REPORTS BY COUNCIL AND STAFF:

Council Member Rosenberg provided a Clean Communities Committee report and expressed the success of the Clean-Up Day. Council Member Rosenberg also reminded the public that October 6th is Recycling Day. Mayor Mironov highlighted the Home Depot as this year's location and the green home products that will also be available

Council Member Rosenberg provided a Commission on Aging report, stating they are almost done with updating the Senior Services directory.

Council Member Yeager stated the Municipal Alliance met earlier in the day, discussed member updates.

Mayor Mironov stated she attended a meeting of the Delaware Valley Regional Planning Commission, Transit Action Team, whose goal is to enhance public transportation routes and opportunities. Mayor Mironov is actively lobbying for East Windsor and 571 to be the priority in further discussions regarding public transportation and introduced a panel hosted at the Holiday Inn, an event co-sponsored by the Mercer County Regional Chamber of Commerce and New Jersey League of Municipalities, which discussed the DEP Waiver Rule that went into effect August 1st.

CORRESPONDENCE:NONE

APPOINTMENTS:NONE

APPROVAL OF BILLS:

It was MOVED by DUKE and seconded by ROSENBERG that the bills be approved with items pulled and questioned.

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

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

MATTERS BY COUNCIL:

East Windsor received a letter from the Department of Environmental Protection dated September 18, 2012 awarding the Township a \$325,000 Green Acres grant.

East Windsor received a letter from West Windsor Township dated September 24, 2012, indicating their desire to renew the Animal Control Shared Services Agreement

A September 27, 2012 letter from Vancleef Engineer noticed the replacement of the Millstone Road Bridge

East Windsor received updates on 2 roadway closures in connection with the Turnpike Widening project. Wycoffs Mill Road closure will commence on or about October 2 for two days, and a closure of Windsor-Perrineville Road that will be in effect for approximately 3 weeks.

The New Jersey Turnpike detour and closure of Route 33 and Route 133 has been delayed, with an anticipated dated on or about November 5, 2012. The Township will continue to keep the public updated.

The Bike Safety Program was successful and the Township distributed 95 pairs of lights, which will enhance the safety of bicyclers and automobile drivers.

The Best Practices Checklist was reviewed by the Council at a previous Council meeting and the Township Manager confirmed this was submitted to the State on September 28.

The Permit Extension bill which passed in the NJ Legislature to the detriment of residents, taxpayers and municipal officials, was signed into law by the Governor, extending permits to December 31, 2014. This is opposed by East Windsor Township and the League of Municipalities.

MATTERS BY PUBLIC: NONE

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

2. Delaware Valley Regional Planning Commission – Transportation Community Development Initiative Grant for New Jersey Turnpike Development Study
 - A. **Resolution R2012-206** Authorize Execution of Grant Agreement with Delaware Valley Regional Planning Commission for Transportation and Community Development Initiative for the New Jersey Turnpike Development Study

It was MOVED by ROSENBERG and seconded by ZOLLER that Resolution R2012-206 be approved with corrections and with attachment of other documentation required by the Delaware Valley Regional Planning Commission.

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

There being six (6) ayes and no nays, Resolution R2012-206 was approved with corrections and other documentation required by the Delaware Valley Regional Planning Commission.

B. Resolution R2012-207 Approval of Professional Services Agreement for Planning Services for the East Windsor/New Jersey Turnpike Exit 8 Transportation and Development Study with Taylor Design Group, Inc

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2012-207 be approved with corrections and with attachment of other documentation required by the Delaware Valley Regional Planning Commission.

Mayor Mironov stated the Request for Proposals Notice was posted locally and on the DVRPC website. Mayor Mironov had appointed a Committee to oversee this study and to undertake the process to recommend the consultant. Councilman Zoller stated the search for the consultant was exhaustive, interviewing five companies and is satisfied with their choice of the best consultant.

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

There being six (6) ayes and no nays, Resolution R2012-207 was approved with corrections and with attachment of other documentation required by the Delaware Valley Regional Planning Commission.

3. Mercer County Agricultural Development Board (MCADB) Annual Farmland Preservation County Planning Incentive Grant Program FY2014

Mayor Mironov stated the County plan identifies 7 farm parcels as target farms. East Windsor has the option to suggest additional parcels to be included in this program. For a farm to be considered to be preserved farmland, they need to be identified as a target farm in the project area. Those already identified as targets will fall within that category. The plan allows Mayor and Council to suggest additional parcels to be included in the County plan.

It was MOVED by LIPPMAN and seconded by ROSENBERG to support the inclusion of the seven (7) designated parcels and additional parcels to be included in the County plan

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

There being six (6) ayes and no nays, Mayor and Council approved to support the inclusion of the seven (7) designated parcels and four additional parcels to be included in the County plan.

4. 2012 Municipal Budget

Mayor Mironov stated the Township has taken a proactive role to review the Municipal Budget throughout the year and to evaluate what monies need to be encumbered and/or cut so as to meet new challenges and revenue shortfalls so as to stay within the Township spending plan and to conclude the year as fiscally healthy as possible. The Mayor in agreement with all Council Members, requested a total list of encumbrances from the outset of the budget process and additional items that are being set aside to ensure the Township meets all obligations and done so within the confines, restrictions and challenges of this year.

5. Restoration of Municipal Energy Tax Receipts

Mayor Mironov announced a citizen's taxpayer group named G.E.T. R Money Back, will host a forum, 7 pm on October 18 at the East Windsor Senior Center.

There being no further business Mayor Mironov adjourned the meeting at 9:45 p.m.

Kathie Senior
Acting Municipal Clerk

Janice S. Mironov
Mayor