

EAST WINDSOR TOWNSHIP COUNCIL

August 6, 2013

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on August 6, 2013.

Deputy Municipal Clerk, Kathie Senior 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, on January 14, 2013. All requirements of the "Open Public Meetings Act" were satisfied.

Mayor Mironov asked Ryan Kosmides, Boy Scout Troop 59, to lead the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Hector Duke, Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager and John Zoller. Also present were Township Manager James P. Brady, Assistant Manager Eric Schubiger, Township Attorney David E. Orron and Deputy Municipal Clerks Kathie Senior and Susan Jackson.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Susan Flaster - She has been an RPN for over 40 years, recently retired and is still active on the Board of Managed Care Nurses. She is most interested in serving on Health Advisory Board and her secondary choice is The Commission on Aging.

PRESENTATIONS & PROCLAMATIONS:

1. National Night Out (August 6, 2013) - A proclamation was presented at the outside event.
2. Eagle Project Presentation by Ryan Kosmides of Boy Scout Troop 59*

Ryan Kosmides of Boy Scout Troop 59 presented his Eagle Scout project to Mayor and Council. He is presenting his project for approval of the Council by organizing a 5K Running Race and Fun Walk to benefit the local RISE Food Pantry. In addition to supporting local soup kitchens run by the RISE Food Pantry will also bring the community together to raise awareness and create a lasting impact. The race will be held at Etra Park starting at the main parking lot and stage area. The running course navigates the two main walking and biking paths and incorporates all three sections of Etra Park. He has taken as many precautions as possible to prevent any accidents such as providing a crossing guide to direct cars at the one road crossing and has spoken to the local First Aid Squad to make sure that there would be an EMT on site. The tentative date for the race is Saturday, December 7, 2013. This will allow the proceeds to be donated to RISE before Christmas. In order to make this work, he is requesting permission to use the park and the much bigger park area for parking. He is also requesting that the smaller parking lot be closed to cars during the event.

Mayor Mironov asked Ryan to speak about the financials as to what is needed to do the project. Ryan stated that his goal is fees of \$20.00 for the 5K race (3 miles) and \$5.00 for the Fun Walk (1 mile walk). The target is to have 100 runners and 25 walkers which would raise roughly \$600.00 of donated money for the RISE Food Pantry.

Mayor Mironov asked about the course through the park and what the course for the runners is. He handed out a map that shows the course and explained the map outline.

Council Member Shapiro asked Ryan if at any time the runners will meet in the same place while running. Ryan stated that at certain points there would be runners going in both directions but the path is able to support three to four runners wide, he will be able to split the path in half to prevent any runners from hitting each other.

Mayor Mironov asked about signage for the race. Ryan currently doesn't have any sponsors but is planning on going around town to get sponsors from local businesses and will put their names on the back of T-shirts to be given out to all participants. He will put directional signs and cones along the course to help with the flow of the runners.

Mayor Mironov asked about what Ryan's plan is for promoting the race. He plans on reaching out to the local magazines, newspapers and on-line running sign-up sites and will promote it through school.

Ryan gave the breakdown of the cost and the final donated portion would be roughly \$10.00 per runner and \$3.00 per walker. It will take 30 runners to break even.

Council Member Yeager asked if there is any concern about the timing of the run during that time of year. Ryan responded that races are held all through the year, especially around Thanksgiving time which is a popular time for races.

Mayor Mironov asked who will be designing the T-shirt. Ryan stated that he will. He has already prepared a rough "RUN FOR RISE" of the design which is on the front page of the proposal. That will be on the front of the shirt.

Council Member Yeager asked if Ryan has spoken to RISE about this project. Ryan stated that he has spoken to RISE and they have given him their approval. They will assist him throughout the project. Mayor Mironov asked if Ryan has any other people helping him through the race. Ryan said that he is estimating about 20 volunteers through the race which will include other Boy Scouts from his troop, family and friends.

Mayor Mironov stated that this is a very good location for having the race. It will help minimize any concerns about vehicles and roads. Even if the weather isn't great, the race is in a better venue than having it out on public roads.

Council Member Rosenberg asked about the clean up after the race. Ryan said that the clean-up will be done by the volunteers.

Mayor Mironov asked about the time frame for the run. Ryan said that most runners should take about ½ hour and the complete race/run should be done within the hour.

It was MOVED by YEAGER and seconded by ZOLLER to endorse and approve the Eagle Scout project as presented by Ryan Kosmides.

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

There being seven (7) ayes and no (0) nays and no (0) abstentions, endorse Ryan Kosmides's Eagle Scout project.

PUBLIC FORUM:

Sean O'Connor, 152 Hickory Corner Rd, Apt 313, East Windsor – He talked about fundamental views of governing, the concept of government manipulation promoting businesses, lowering property taxes and the budget, debt reduction, red light cameras, and economic development.

Mayor Mironov asked if there was any additional comment from the public, no additional public comment was made, so public forum was closed.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

2. East Windsor Township 2012 Audit

Bud Jones, Township Auditor, was present to go over the audit. He went over a few of the highlights of the budget report which included the following:

- Fund Balances;
- 2012 Operations;
- Special Garbage District Funds;
- the Borrowing Power of the Township
- Comparative Schedule Tax Rate Information

Mayor Mironov commented on the municipal component, which is what the Township has a direct control over and reflected in the budget and the expenditures is about 15% of the total tax bill as opposed to the school district and the County which are a much greater portion.

Bud Jones also added that in addition to all the expenses related to accessing, collecting and defending the assessments. The school and the County collect 100% of their required levy.

Mayor Mironov stated that in the budget almost a \$1,000,000 just to make sure that the Township pays them the 100% of their money even though it doesn't buy anything for anyone. By itself it is about \$.04 on tax rate, which buys nothing but the state requires that the Township provides that reserve.

Bud Jones continued with the audit report:

- There was an improvement in the Middlesex County JIF
- There were two comments in the report which are requirements from the State – looking at future budgets and funding for ordinances over five years old and the Township continued to review its federal and state grant funds receivable and take appropriate actions where necessary for those balances.

Mayor Mironov asked in general terms in reviewing the financial condition of the town and the fund balance and debt how he would overall characterize the financial condition of East Windsor Township as reflected in the audit? Bud Jones stated that the township is in good financial condition both from an overall debt management position, the management of the budget and the revenues of the township. The Township seems to be actively managed very successfully. He believes that it is a credit to the town to be able to manage the town over the last several years, especially considering the economic circumstances. Many towns have experienced some fiscal distress and he hasn't seen that for East Windsor at all.

Resolution R2013-145

Acknowledging the Receipt of Audit and
Signing of Group Affidavit

The Deputy Municipal Clerk read by title Resolution R2013-145.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2013-145 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-145 was approved.

Resolution R2013-146

Approving the Corrective Action Plan

It was MOVED by DUKE and seconded by SHAPIRO that Resolution R2013-145 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-145 was approved.

3. Contract with American Traffic Solutions/Fee Schedule Options

The material and recommendation from the Police Chief have been provided to the Council members requesting a change from Option B to Option A.

It was MOVED by ROSENBERG and seconded by DUKE to change the Fee Schedule Option from “B” to “A” and to authorize notification to ATS of the option change.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-145 was approved.

4. New Jersey Department of Transportation FY 2014 State Aid Program

The first and primary area that is being looked at is the municipal roadways improvements. There are a few suggestions presented. Mayor Mironov has also spoken with officials in Robbinsville and they would like East Windsor to consider filing a joint application with them for funding for the Route 130/Hankins Road/Conover Road intersection improvement. East Windsor will continue to proceed to file a municipal roadway application which is also Robbinsville’s intention as well. This is a project that has been in the process through the state and in partnership with Robbinsville, they have agreed to divide the costs with East Windsor. It is a positive idea and something that Mayor Mironov is asking everyone to consider. There has been a very good working relation with Robbinsville on this and it is mutually desired to look at a joint application for that intersection.

Council Member Duke asked if a resolution needs to be done. Mayor Mironov said that at this time she would like everyone to identify what is most important and if there is any another roadway that needs to be identify then an application would be listed for formal review and approval at the next meeting on September 3, 2013.

Council Member Duke believes that doing that intersection would be a major improvement to the traffic flow and safety of the township. Council Member Rosenberg agrees with Council Member Duke’s statement and added that this has been a major concern of the Council for a while and it is good to have a partner, like Robbinsville, to work with. Council Member Zoller asked if Robbinsville’s offer is in addition to the

Conover Road suggestion. Mayor Mironov answered that it would be in addition to the suggestions. Council Member Yeager would absolutely support the joint application with Robbinsville.

Council Member Yeager would like to move forward with Conover since the timing is good if a joint application with Robbinsville on the main intersection is being considered. It would make a lot of sense to try to do both projects at the same time. Council Member Rosenberg asked if applying for the two projects together would increase the chances of getting State Aid. Mayor Mironov stated that sometimes it does help to link two projects together and would definitely help to make the State take it into consideration.

Council Member Zoller commented that Hickory Corner Road is still one of the worst roadways in the town and that we shouldn't lose sight of the consideration for improvements while discussing the Conover Road and Hankins Road.

The consensus is to develop application plans for both Conover and Hankins Roads. A municipal aid application needs to be put together for Conover Road and we need to reach out to Robbinsville and identify the strategy to put together a joint application for the Route 130/Hankins/Conover Intersection improvements.

Bikeway Projects – there are some ideas and additional ideas can be generated as needed. Mayor Mironov has already asked staff to look at additional bikeway ideas in the town. Mayor Mironov stated that ideas 2 and 3 really didn't impress her for a number of reasons. The first idea has potential liability because it potentially improves a situation on a trail that is used frequently. Mayor Mironov ask the staff to reach out to DOT in regards to idea #2 and find out whether it has any merit or what might give it merit so if it is something to consider in the future the Township is more informed.

Council Member Shapiro asked if it would make sense to sit down with neighboring towns and discuss bikeways that would connect municipalities. Mayor Mironov stated that there might be ways but the DOT requirements might make it difficult to follow through. Peter Yeager agrees with following up with Idea #1 for a bike trail. Council Member Rosenberg also agrees especially seeing the success of the bike trails in Twin Rivers. Marc Lippman said that maybe to look and see if some fresh ideas can be thought of before moving forward.

The consensus is that the staff should look at idea #1 further and see what needs to be done in the event that an application will be submitted and that they need to look at the community at large and see what other fresh ideas there may be throughout the town that are not in Etra Park or Disbrow Hill.

MINUTES:

February 26, 2013 Special Meeting – Budget Session

It was MOVED by ROSENBERG and seconded by DUKE that the May 21, 2013 minutes be approved with revisions dated July 2, 2013.

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

Nays – None

Abstains- Shapiro

There being six (6) ayes, no (0) nays and one (1) abstention, the February 26, 2013 minutes are approved with revisions dated, 2013.

Mayor Mironov rescheduled minutes of: March 5, 2013; June 11, 2013; June 25, 2013 and July 2, 2013.

March 5, 2013 Special Meeting – Budget Session

It was MOVED by ZOLLER and seconded by ROSENBERG that the March 5, 2013 Special Meeting – Budget Session minutes be approved.

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

Nays – None

Abstains- Shapiro

There being six (6) ayes, no (0) nays and one (1) abstention, the March 5, 2013 minutes are approved.

RESOLUTIONS:

Resolution R2013-123 Approving Interlocal Agreement between East Windsor Township and Hightstown Borough for Daytime Emergency Medical Services

The Deputy Municipal Clerk read by title Resolution R2013-123.

The agreement has been reviewed and approved and signed by Hightstown Borough. It is in accordance with the proposal that was offered to Hightstown Borough.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-123 be approved.

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

Nays – None

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-123 was approved.

Resolution R2013-130 Action on Request for Release of Performance Guarantee for Wyncrest at East Windsor, Wyncrest Commons, L.P.

The Deputy Municipal Clerk read by title Resolution R2013-130.

The resolution was held from a prior meeting to review the format regarding the payment of fees and charges; this is the revised resolution. The letter dated June 4, 2013 from the Township Engineer has been attached and incorporated into the resolution as well as the certification from the Finance Director that all required charges and fees have been paid.

It was MOVED by LIPPMAN and seconded by SHAPIRO that Resolution R2013-130 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-130 was approved.

Resolution R2013-137 Appointment of Acting Municipal Clerk

The Deputy Municipal Clerk read by title Resolution R2013-128

There is a finalized resolution in Council folders.

It was MOVED by ROSENBERG and seconded by ZOLLER that Resolution R2013-137 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-137 was approved.

Resolution R2013-138 Approval of Purchase of Playground Equipment with Game Time for the East Windsor Public Works Department

The Deputy Municipal Clerk read by title Resolution R2013-138.

This is a corrected resolution with all the correct numbers on it. This resolution is for replacement park equipment. The colors will match existing equipment.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-138 be approved.

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

Nays – None

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-138 was approved.

Resolution R2013-139 Rejection of Bids for Leaf Disposal for the Public Works Department

The Deputy Municipal Clerk read by title Resolution R2013-139.

There is a recommendation from the Public Works Director to reject the bids and Council will authorize re-bidding of the Leaf Disposal bid.

It was MOVED by ZOLLER and seconded by SHAPIRO that Resolution R2013-139 be approved.

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

Nays – None

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-139 was approved.

Resolution R2013-140 Approval of Contract for Third Party Administrator with MagnaCare

The Deputy Municipal Clerk read by title Resolution R2013-140.

There is a recommendation from the Township Manager. This is an agreement to extend the contract with the same terms through next year. Mayor Mironov asked for a correction in the second **WHEREAS** which currently reads “through its health insurance consultant” needs to be eliminated from the paragraph because the Township is its own insurance consultant.

It was MOVED by YEAGER and seconded by DUKE that Resolution R2013-140 be approved with change..

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

Nays – None

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-140 was approved with change.

Resolution R2013-141 Approval of Application to New Jersey Department of Environmental Protection under the New Jersey No Net Loss Reforestation Act

The Deputy Municipal Clerk read by title Resolution R2013-141.

The agreement is in the Councils' folders that go with the resolution. It is an approved agreement; it is a straight reimbursement of per tree amount. There is also a letter from the DEP as to what the award is.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2013-141 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-141 was approved.

Resolution R2013-142 Authorizing Change Order No. 2 with Gres Paving Company for Disbrow Hill Trail

The Deputy Municipal Clerk read by title Resolution R2013-142.

This resolution basically undoes the prior action, there was a change order for addition material that was needed for the project and the Public Works Director has determined a means to basically return that money

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-142 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-142 was approved.

Resolution R2013-143 Approval of Professional Services Agreement for Appraisal Services for Block 47, Lot 14 with Curini appraisal Company, Inc.

The Deputy Municipal Clerk read by title Resolution R2013-143.

Resolutions R2013-143 and R2013-144 are in the Council folders tonight. They came in later than the packets. The Township went out and solicited through the Fair and Open Process the request for proposals for Professional Services for Appraisals. There were several proposals received. The next two resolutions have recommendations to award the agreements to the lowest priced proposals both of whom have worked with the Township before and have an extensive knowledge of Green Acres Rules and Regulations.

Sean O'Conner asked if Mayor Mironov would give details of the Proposals. Mayor Mironov went through the process and all the proposals received. The Township is required to get two proposals under law.

It was MOVED by ZOLLER and seconded by DUKE that Resolution R2013-143 be approved.

Mayor Mironov asked if there is a time schedule attached to the proposal. Authorizing the agreement needs to have a time schedule and she would like the term to be no later than 30 days and contacting the vendors need to be done in the morning.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-143 was approved.

Resolution R2013-144 Approval of Professional Services Agreement for Appraisal Services for Block 47, Lot 14 with Martin Appraisal Associate, Inc.

The Deputy Municipal Clerk read by title Resolution R2013-144.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2013-144 be approved.

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

Council Member Yeager asked if this resolution needs a date due also. Mayor Mironov said that it does as a condition of the authorization.

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-144 was approved.

APPLICATIONS:

New Jersey Fireman's Association Membership Application for Daniel J. Cheetham

It was MOVED by DUKE and seconded by ROSENBERG to approve the membership application for Daniel J. Cheetham

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, motion was approved.

New Jersey Fireman's Association Membership Application for Barry A. Eltman

It was MOVED by ROSENBERG and seconded by DUKE to approve the membership application for Barry A. Eltman.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, motion was approved.

REPORTS BY COUNCIL AND STAFF:

Council Member Rosenberg – The Clean Communities Committee met on July 25. The 2013 Fall Recycling Day will be September 28 at the Senior Center. They are seeking to finalize plans for a school program at the Walter C. Black School.

Mayor Mironov – National Night Out was tonight.

CORRESPONDENCE: NONE

APPOINTMENTS: NONE

APPROVAL OF BILLS:

Enclosed were the current 2013 bill list and one page for Capital bill list dated August 1, 2013 as well as other trust fund account, two pages of the 2012 Current Bill List and other miscellaneous trust funds.

Council Member Shapiro asked about the postage on the 2013 Bill List. He questioned about the tracking of mail and if the township really does track mail. The response is yes.

Council Member Zoller asked about the bill for W.B. Mason for the amount of \$631.00. There is an item without an adequate description of the item. Mayor Mironov asked Council Member Zoller if he would like to pull the bill. He confirmed that he would like it pulled and be informed as to the description of the item.

Mayor Mironov questioned the bill on page 3, under the Clerk's office; the item is for \$6,370.00 for the Special Primary Election. She is pulling the bill and will not pay it. A circular from Mayor was sent to involved staff with respect to the Special Elections, the State is suppose to be covering the costs and Mayor Mironov will not process any cost until the staff has looked at this bill and determined what cost are being incurred so that so that we are prepared to receive reimbursement. A report must be collected and presented before this item reappears on the bill list and this goes for the October Special Election, too.

Mayor Mironov wants information for Down to Earth Landscaping on the Capital bill list. She wants the bill pulled until further information is presented on what this item is.. The third item in question under Other Trust account; there is a bill listed for Community Grants, she isn't going to pull it, but there is an account for Affordable Housing Trust Fund and she wants to know why it is listed under "Other Trust Funds". She would like it not to be paid until it is clarified.

It was MOVED by DUKE and seconded by ROSENBERG that the bills be approved with the exception of the bills that have been pulled.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, the bills were approved with the exception of the bills that have been pulled.

CORRESPONDENCE:

MATTERS BY COUNCIL:

At the last meeting, Mayor Mironov said that she would be making appointments and reappointments to the Green Team. She is appointing/reappointing Ronald Balint, Edward Kelly, Council Member Yeager, Council Member Zoller, Lennox Ng, Richard Brand, and John Donnelly.

Information was also circulated to everyone in regards to a call received from Windsor Radiology; they are interested in coordinating a program in town and everyone needs to give Mayor Mironov their comments by tomorrow.

The Yorkshire Drive improvements are underway and it is anticipated that the work will be completed before then end of this month.

Traditionally the second Council meeting for August 20 has been cancelled in the past and if there is no particular matters that needs to be addressed until September 3, Mayor Mironov would like to cancel the meeting. All Council members are in agreement. Mayor Mironov asked that the notice of cancellation be taken care of tomorrow morning.

MATTERS BY PUBLIC:

Sean O'Connor, 152 Hickory Corner Rd, Apt 313, East Windsor – he spoke regarding time limits and taxes.

Mayor Mironov responded to some of his issues.

Next Meeting: Tuesday, September 3, 2013 at 7:30pm

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

Susan D. Jackson
Deputy Municipal Clerk

Janice S. Mironov
Mayor