

EAST WINDSOR TOWNSHIP COUNCIL

October 8, 2013

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on October 8, 2013.

Deputy Municipal Clerk, Susan Jackson 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.

John Funda 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 James P. Brady, Assistant Manager Eric Schubiger, Township Attorney David E. Orron and Deputy Municipal Clerks Kathie Senior and Susan Jackson. Absent was Council Member Perry Shapiro

PRESENTATIONS & PROCLAMATIONS:

East Windsor P.A.L. - - 9/10 All-Star Softball Team -- 2013 State Championship and Eastern Region Championships

Mayor Mironov presented the proclamation to members of the 2013 State and Eastern Region Championship team, manager and coaches.

East Windsor P.A.L. Little League Program 25th Anniversary - - 2013

Mayor Mironov presented the proclamation to Frank Caravella, President of the EWPAL Board to commemorate the 25th Anniversary of the membership in the National Little League Program

***Gold Award Presentation by Emily LeBlanc, Girl Scout Troop 71464**

Emily LeBlanc of Girl Scout Troop 71464 presented her Gold Award Presentation to Mayor and Council. Her project is to build a memorial to organ donors and medical research. The memorial will consist of a bench and plaque in Etra Lake Park. Emily talked about the expected cost of the project and her fundraising events to raise the money. The project has been approved by the Girl Scout Council.

The memorial will be located at the start of the fitness trail with a plaque in the ground and a bench positioned behind it and 5 Dogwood trees located around the bench. The memorial plaque would be inscribed with "What we have done for ourselves alone dies

with us; what we have done for others and the world remains and is immortal,” Albert Pike
In memory of those who gave their bodies to better cause.”

Mayor Mironov asked Emily the timeline to complete the project. Emily stated that she would have it completed before she graduated from high school.

Council Member Yeager asked why Emily was so passionate about organ donation. Emily’s response was that her grandmother recently passed away and was in need of an organ transplant.

Mayor Mironov asked Emily if she learned anything in particular from this project. Emily said that she didn’t realize how many people are waiting for organ donations.

Council Member Rosenberg congratulated Emily for doing this project and bringing it to the public.

Council Member Zoller agrees with organ donations and gives his support for Emily’s project.

It was MOVED by ROSENBERG and seconded by YEAGER to endorse Emily LeBlanc’s Gold Award project.

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

There being six (6) ayes, no (0) nays, to endorse Emily LeBlanc’s Gold Award Project

INTERVIEWS FOR BOARDS AND COMMISSIONS: NONE

PUBLIC FORUM:

Sean O’Connor, 152 Hickory Corner Rd, Apt 313, East Windsor – He spoke about freedom of speech, property tax increases and decreases for the last 25 years, goals and visions for government and government transparency.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

MINUTES:

Mayor Mironov held June 11, 2013 and rescheduled July 2, 2013, September 3, 2013 and September 17, 2013 minutes.

RESOLUTIONS:

Resolution R2013-162 Approve Award of Bid for the Reconstruction and Resurfacing of Conover Road to Earle Asphalt Company

The Deputy Municipal Clerk read by title Resolution R2013-162.

Mayor Mironov stated that there is a revised Resolution and attachment has been provided in the Council meeting folders which doesn't change the bottom line of the resolution. The change she requested in the Resolution is in the fifth "Whereas" paragraph. Mayor Mironov stated that the Director of Public Works has made the recommendation for awarding the contract to Earle Asphalt.

Mayor Mironov said that six (6) bids were received and Earle Asphalt Company was the lowest bid.

Council Member Yeager said that Earle Asphalt has done work before for the Township and it has been a positive experience.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-162 be approved.

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

There being six (6) ayes, no (0) nays, Resolution R2013-162 was approved.

Mayor Mironov stated that the work is slated to start on or around October 21, 2013 and to be completed on or around November 1, 2013 weather permitting. The roadway will be closed to traffic during the hours of 7 am to 5 pm except for emergency vehicles and residents who live on the portion that is to be worked on, which is between Route 130 and Woods Road. The residents on Conover Road will be notified daily on the progress. The work is being paid for by developers' funds; there are no municipal moneys being spent on this project.

Resolution R2013-163 Action on Request for Release of Performance Guarantees for Riviera at East Windsor – Off-Site Improvements

The Deputy Municipal Clerk read by title Resolution R2013-163

Mayor Mironov stated that there is a revised Resolution in the Council meeting folders with a correction as well as the attached report. Mayor Mironov indicated that there is a report dated August 15, 2013 from the Engineer and a report from the Finance Director and asked that the Resolution be held. Mayor Mironov would like to send a letter to the Homeowners Association to see if there are any additional comments before there is a

vote and to get input from the Attorney with respect to the status of a past issue. Council agreed to hold the Resolution.

Resolution R2013-164 Authorizing Dedication by Rider for Uniform Fire Safety Act Penalty Monies

The Deputy Municipal Clerk read by title Resolution R2013-164

Mayor Mironov stated that a request from the Finance Director indicated that this is the process that needs to be used.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2013-164 be approved.

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

There being six (6) ayes, no (0) nays, Resolution R2013-164 was approved.

Resolution R2013-165 Refund of Tax Overpayments

The Deputy Municipal Clerk read by title Resolution R2013-165

Mayor Mironov stated that there is a certified list from the Tax Collector and is attached to the Resolution.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-165 be approved.

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

There being six (6) ayes, no (0) nays, Resolution R2013-165 was approved.

Resolution R2013-166 Authorize Purchase of Clothing from Red the Uniform Tailor for Police Department

The Deputy Municipal Clerk read by title Resolution R2013-166

Mayor Mironov stated that there is an updated Resolution in the meeting folders. She said that there is a recommendation and request from the Chief of Police.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2013-166 be approved.

Mayor Mironov stated that there were several quotes solicited by the Police Department. Red the Uniform Tailor is the cheapest quote and from past years there is a modest increase of only 1.9% in the costs of uniforms.

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

There being six (6) ayes, no (0) nays, Resolution R2013-166 was approved.

APPLICATIONS:

Raffle License RL: 381 Hightstown VFW Post 5700 – October 13, 2013 at 140
Dutch Neck Road, East Windsor, NJ 08520, On-Premise
Casino Night – Wounded Warrior Project Donation

It was MOVED by DUKE and seconded by ROSENBERG to approve RL: 381

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

There being six (6) ayes, no (0) nays, Raffle License RL: 381 was approved.

Raffle License RL: 382 The Marna Pal Memorial Scholarship Fund – November
16, 2013 at 399 Monmouth Street, East Windsor, NJ, On-
Premise Merchandise Raffle

It was MOVED by ZOLLER and seconded by YEAGER to approve RL: 382

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

There being six (6) ayes, no (0) nays, Raffle License RL: 382 was approved.

REPORTS BY COUNCIL:

Council Member Rosenberg said the Commission on Aging met in September

Council Member Yeager stated the Municipal Drug and Alcohol Alliance Committee met on Wednesday, October 2 and discussed an upcoming grant that the committee is

working on. They also discussed a couple of meetings that Council Member Yeager attended including the County meeting on September 30 and the Grand Training Session on September 24.

Council Member Zoller stated the Environmental Commission met on Wednesday, September 18. The discussion topics were Community Forestry Management Plan, the Green Team, and training requirements for Public Works and Township employees to support the Environmental Commission.

Mayor Mironov stated the East Windsor Green Team met, members include Mayor Mironov, Council Members Yeager and Zoller, and Ron Balint who serves as the Chair. They had a productive meeting in order to enhance their Bronze certification and will meet again in a few weeks to continue that effort. The Clean Communities met on September 26 and reviewed Recycling Day, which was very successful. Mayor Mironov wanted to thank Council Members Yeager and Zoller for all their assistance at the event. There is also a Environmental Litter-Free program sponsored through a Clean Communities grant at the Black School in a couple of weeks. The Suggestion Box Contest is also currently running for the Middle School students.

APPOINTMENTS:

Mayor Mironov appointed Susan Flaster as an Auxiliary Member to the Commission on Aging. The appointment is to be effective until December 31, 2014.

APPROVAL OF BILLS:

Mayor Mironov stated that the Council was presented with a copy of the current bill list and one page for capital bill list dated October 3, 2013 as well as other miscellaneous and trust funds bill lists.

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

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

There being six (6) ayes, no (0) nays, the bill list was approved.

MATTERS BY COUNCIL:

Council Member Rosenberg stated that in the effort to move forward with staff evaluations, he would like to propose a motion to Council for consideration. He would like to present that a sub-committee be formed to do the evaluation for the Township Manager and it would be comprised of Mayor Mironov, Council Members Shapiro and Yeager. They would report back to the Council after the evaluation. In regards to the Deputy Clerk, a sub-committee also be formed comprising of the Mayor, Council

Members Shapiro and Lippman to perform the same function as stated with the Township Manager Evaluation Sub-Committee. He also stated that the Sub-Committee for the Deputy Clerk would actually consist of five people including the Acting Municipal Clerk and Assistant Township Manager.

It was MOVED by ROSENBERG and seconded by LIPPMAN that the motion for the formation of Evaluation Sub-Committees be approved.

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

There being six (6) ayes, no (0) nays, motion passes.

Mayor Mironov said that there was another Passport Day in Town Hall today. Also on October 4 was the East Windsor Regional School District Hightstown High School Athletic Hall of Fame luncheon and induction. The Monday, November 11, 2013 Township Council Meeting has been moved to Tuesday, November 12, 2013. Mayor Mironov also noted the Old Trenton Road project information has been sent out by E-News and notices were personally hand-delivered to all the communities along One Mile Road that the County will be undertaking roadway improvements on Old Trenton Road between Princeton-Hightstown Road and the East Windsor/Cranbury border to start on October 15 through November 1, weather permitting. There will be roadway closures during the actual work hours except for emergency vehicles and residents who live along Old Trenton Road. There will be posting daily on the website as to the construction. The Suggestion Box Contest for Middle School students, their suggestions are due by Thursday, October 24. The Town has completed and opened for public use Disbrow Hill Trail, a newly constructed grant funded trail. Innovative Logistics has relocated from Lakewood, NJ to an 84,000 square foot building in East Windsor. The New Jersey Turnpike will be adding additional signs and markings to help eliminate some of the confusion on the new road transitions for Route 133.

MATTERS BY PUBLIC:

Anna Lustenberg, 2613 Old Stone Mill Road, East Windsor – she is glad to hear that Old Trenton Road is being addressed.

Sean O'Connor, 152 Hickory Corner Rd, Apt 313, East Windsor – he spoke regarding Council discussions with the public and municipal taxes.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Gold Award Presentation By Emily LeBlanc, Girl Scout Troop 71464*

2. Mercer County Agricultural Development Board (MCADB) Annual Farmland Preservation County Planning Incentive Grant Program FY2015

Mayor Mironov stated that East Windsor received a letter from Mercer County Agricultural Development Board with respect to the proposed County Farmland Plan for the coming year requesting any written comments that East Windsor wishes to provide. Mayor Mironov noted that the plan that has been proposed includes ten (10) farm parcels as targeted farms in East Windsor. Last year, the Council suggested the inclusion of four (4) additional farm parcels, three of which have been included on the map that has been provided. Mayor asked if there is anything more that the Council would like to include with respect to the County plan. She would like to make sure that there is support with the farms that have been targeted for preservation and this may be the year to make the suggestion for the inclusion of the Ward Farm, which is Block 35 Lots 4 and 4.01.

Council Member Duke stated that he thinks adding the Ward Farm is an excellent choice.

Council Member Lippman thinks that this is the time to get the Ward Farm to be included on the plan. It would be a major accomplishment and as timing is everything, the suggestion should be made to Mercer County to include the parcel.

It was MOVED by ZOLLER and seconded by DUKE that the motion to indorse the farms that have been targeted by Mercer County and also to request the Ward Farm, specifically Block 35, Lots 4 and 4.01, on Windsor-Perrineville Road be considered for inclusion on the targeted farms for this fiscal year.

Council Member Zoller added that farm landp is an important part of the Sustainable New Jersey Program and the Green Team had this as one of the topics at a recent meeting.

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

Nays – None

There being six (6) ayes, no (0) nays, motion passes.

3. Bank Proposals for East Windsor Township

Resolution R2013-167 Designating Official Bank Depositories – First Choice Bank

Mayor Mironov stated that the Finance Director had gone out with a request for proposals to the local banks in the areas to see if there was a way to improve the interest rates and overall services. The CFO put together a very comprehensive RFP. The CFO received five (5) completed proposals and provided a summary based on the criteria. The CFO

has made a recommendation with respect to the East Windsor Township's bank accounts to First Choice Bank for all depositories.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2013-167 be approved.

Council Member Zoller asked if account #21 is improperly named. Mayor Mironov stated that this is a court related account and needs to be corrected. The vote for approval will be subject to this correction.

Council Member Yeager stated that it pays to shop around and good work to the CFO.

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

There being six (6) ayes, no (0) nays, Resolution R2013-167 passes.

4. Credit Card Payments

Resolution R2013-168 Authorizing Agreement with Nationwide Payment Solution for Acceptance of Credit Card Payments for all Municipal Transactions

Mayor Mironov stated that she is very pleased with the Finance Director for taking the time and research to find the best services for taking credit cards. Mayor has wanted this service for awhile for the residents. This will allow the residents to make payments of their taxes with credit cards as well as for other fees within the town, such as for the Recreation Department and the Court. There is no cost to the Township and free charge card terminals will be set up in town hall and on-line system as well. There is a convenience fee and residents will pay this fee to the company provider for the use of the system. If this Resolution is passed tonight, the hope is to have this system available to the public for the upcoming November 1 tax payments.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-168 be approved.

Council Member Yeager is in agreement for moving forward with this Resolution in order to provide this service to the residents and since there will be no cost to the Township it is a big plus to move forward.

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

There being six (6) ayes, no (0) nays, Resolution R2013-168 was approved.

5. NJ Division of Local Government Services CY 2013 Best Practices Checklist – Review

Mayor Mironov stated that the material from the Division of Local Government Services regarding the Best Practices and the review material from the Manager and Finance Director has been provided. The Best Practice Checklist is required to be returned to DLGS by October 15. The Finance Director is required to certify the results and the Council is required to publicly list this for review at a meeting. Based on the responses, the town would receive a score of 96% which would put the town well above any issues with respect the withholding of funds.

All Council Members have reviewed the Best Practices Checklist.

Resolution R2013-169 Approval of Purchase of Soccer and Lacrosse Equipment for Disbrow Hill Playing Fields

Mayor Mironov stated that all materials have been placed in the Council folders. The Resolution reflects the revised and corrected memo. Mayor explained the process that has led to the current need to purchase equipment for the fields. The town is moving forward with preparing the use of the Softball and Lacrosse fields for spring of 2014.

Mayor Mironov has suggested changes to the Resolution. She asked that it be modified to show a format to identify unit prices and total prices just as a double check on the numbers and for transparency. She asked that the word “unit” be removed. In the fifth line it should read six (6) lacrosse nets for \$330 and again fix the unit format. She also would like to have the “NOW THEREFORE” divided into two different paragraphs to reflect the two vendors.

It was MOVED by YEAGER and seconded by DUKE to approve Resolution R2013-169 with the changes requested.

Council Member Rosenberg said that it is nice to see this all coming together.

Mayor Mironov said that the additional parking lot at Disbrow Hill Trail Fields has given an opportunity for more parking during special events at Etra Lake Park.

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

There being six (6) ayes, no (0) nays, Resolution R2013-169 was approved with the requested changes.

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Next Meeting: Tuesday, November 12, 2013 at 7:30pm

There being no further business Mayor Mironov adjourned the meeting at 9:35 p.m.

Susan D. Jackson
Deputy Municipal Clerk

Janice S. Mironov
Mayor