

EAST WINDSOR TOWNSHIP COUNCIL

August 5, 2014

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on August 5, 2014.

Deputy Municipal Clerk, Erin Martin certified that the meeting was noticed on January 3, 2014 in the annual meeting notice and an amended meeting time was noticed on July 16, 2014. Notices were sent to the Trenton Times, filed with the office of the municipal clerk and posted in the East Windsor municipal building. All requirements of the open public meeting act have been satisfied.

Chris Tarr led the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager and John Zoller. Also present were Township Manager James P. Brady, Deputy Municipal Clerk Erin Martin and Kelly Lettera. Council Member Hector Duke was absent.

PRESENTATIONS & PROCLAMATIONS:

National Night Out (August 5, 2014)

Mayor Mironov stated that National Night Out was tonight. The proclamation was presented at the function.

Eagle Scout: Etienne Cossart, Boy Scout Troop 59 (August 17, 2014)

Proclamation will be presented at the function.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC COMMENT: None

MINUTES:

April 1, 2014

It was MOVED by ROSENBERG and seconded by ZOLLER that the April 1, 2014 minutes be approved with revisions dated July 11, 2014.

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

There being six (6) ayes, no (0) nays, April 1, 2014 minutes were approved as revised.

April 22, 2014

It was MOVED by LIPPMAN and seconded by ZOLLER that the April 22, 2014 minutes be approved with revisions dated July 11, 2014.

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

There being six (6) ayes, no (0) nays, April 22, 2014 minutes were approved as revised.

May 6, 2014

It was MOVED by YEAGER and seconded by ROSENBERG that the May 6, 2014 minutes be approved with revisions dated July 11, 2014.

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

There being six (6) ayes, no (0) nays, May 6, 2014 minutes were approved as revised.

May 20, 2014

It was MOVED by LIPPMAN and seconded by ZOLLER that the May 20, 2014 minutes be approved with revisions dated July 11, 2014.

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

There being five (5) ayes, no (0) nays, one (1) abstention, May 20, 2014 minutes were approved as revised.

Mayor Mironov rescheduled June 3, 2014, June 24, 2014, July 1, 2014 and July 15, 2014 minutes.

ORDINANCE – PUBLIC HEARING: None

ORDINANCE – INTRODUCTION:

Ordinance No. 2014-06 Ordinance Appropriating \$200,000 for the Acquisition of Land for Use As Open Space of an Approximately 24.14 Acre Site Located at 181 Airport Road and Designated on the East Windsor Township Tax Map as Block 47, Lot 14 in and by the Township of East Windsor, in the County of Mercer, New Jersey

The Deputy Municipal Clerk read by title Ordinance 2014-06.

Mayor Mironov stated the next Council Meeting would normally be August 19th and traditionally, if there has not been necessary business, Mayor has cancelled the second meeting in August. Currently she doesn't have anything on her desk that would require a meeting and she would like to cancel the meeting. If no one else has anything for August 19th then the public hearing for Ordinance 2014-06 will be scheduled for September 2, 2014.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Ordinance 2014-06 be approved on introduction, authorized for publication and public hearing set for September 2, 2014.

Mayor Mironov stated that the acquisition has already been authorized but the funding for the ordinance hasn't been put in place. This acquisition is totally grant and private funded of about twenty-four plus acres on Airport Road. The Township is at a point close to closing so this will appropriate the money for the land from Green Acres, Mercer County and Municipal Open Space Trust Fund.

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

There being six (6) ayes, no (0) nays, Ordinance 2014-006 was approved on introduction, authorized for publication, and public hearing set for September 2, 2014.

RESOLUTIONS:

Resolution R2014-149 Action on Bids for the Removal and Reconstruction of
Concrete Slabs for East Windsor Volunteer Fire Company
No. 1

The Deputy Municipal Clerk read by title Resolution R2014-149.

Mayor Mironov stated that there is a revised Resolution in the Council folders. The changes were to paragraphs two and three.

Mr. Orron stated that there is nothing further now that the changes have been made.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2014-149 be approved with the corrections.

Mayor Mironov stated that the Township will look to rebid this project sometime in the late fall.

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

There being six (6) ayes, no (0) nays, Resolution R2014-149 was approved with the corrections.

Resolution R2014-150 Refund of Tax Overpayments

The Deputy Municipal Clerk read by title Resolution R2014-150.

It was MOVED by ZOLLER and seconded by LIPPMAN that Resolution R2014-150 be approved.

Mayor Mironov stated that a certified list by the Tax Collector is attached.

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

There being six (6) ayes, no (0) nays, Resolution R2014-150 was approved.

Resolution R2014-151 Approval of Conditional Settlement Agreement among East Windsor Township, East Windsor Township Planning Board and The Francis E. Parker Memorial Home, Inc.

The Deputy Municipal Clerk read by title Resolution R2014-151.

Mayor Mironov asked that the Resolution be corrected to read in the first line Francis E. Parker Inc. “is the” contract purchaser of a 55.80 parcel of vacant land being bounded by “Wyckoffs Mill Road” was misspelled. Remove the words “on property” and “official”. The second paragraph was removed completely and replaced with “Whereas, the Township Council believes it is in the best interest of East Windsor to enter into this Conditional Settlement Agreement and to require execution by the contract purchaser.” In number one under Now Therefore, “East Windsor Township Planning Board” should be changed to Deputy Municipal Clerk. In number two, “Township Professionals and Staff” should be changed to “The Township Attorney”. And in number three, “Township Engineer”, “Construction Official”, and “Director of Finance” should all be removed.

Mr. Orron agrees with the changes that Mayor has requested.

Mayor Mironov stated that all the exhibits are attached to the Resolution with some of the exhibits already executed. This would wrap up the entire matter predicated upon Parker Homes closing by mid-September on the property.

It was MOVED by SHAPIRO and seconded by ROSENBERG that Resolution R2014-151 be approved with changes.

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

There being six (6) ayes, no (0) nays, Resolution R2014-151 was approved with changes.

Mayor Mironov noted that the Township Planning Board did approve the agreement at their meeting held last night on August 4th.

Resolution R2014-152 Award of Contract for Leaf Disposal with Mendies Farm, LLC for the Public Works Department

The Deputy Municipal Clerk read by title Resolution R2014-152.

Mayor Mironov stated that a revised Resolution is in the Council folders. She asked that the CFO certification number be inserted in paragraph 6.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2014-152 be approved with the change.

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

There being (6) ayes, no (0) nays, Resolution R2014-152 was approved with the change.

Resolution R2014-153 Approval of Professional Services Agreement for Township Auditors with Nisivoccia and Company, LLP

The Deputy Municipal Clerk read by title Resolution R2014-153.

Mayor Mironov asked that the CFO certification number be inserted in the 7th paragraph. She noted that the complete contract was not attached and wants to make sure that the completed contract is attached to the final Resolution after the meeting.

It was MOVED by ROSENBERG and seconded by YEAGER that Resolution R2014-153 be approved with the changes.

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

There being (6) ayes, no (0) nays, Resolution R2014-153 was approved with the changes.

Resolution R2014-154 Approval of Shared Services Agreement between Township of East Windsor and Borough of Hightstown for Daytime Emergency Medical Services

The Deputy Municipal Clerk read by title Resolution R2014-154.

Mayor Mironov asked that the Resolution be corrected to read in the first paragraph, “on March 2, 2010 by Resolution R2010-54” and remove “May 1, 2010 through April 30, 2015” and replace it with “July 1, 2014 through March 31, 2015”. Remove paragraph 2 entirely and replace with “**WHEREAS**, by Resolution R2013-123 adopted on August 6, 2013, the Township Council approved a shared services agreement with the Borough of Hightstown for the provision of Daytime Emergency Medical/Ambulance Services for the period of July 1, 2013 thru June 30, 2014; and **WHEREAS**, the parties desire to enter into a successor agreement to continue the provision of Daytime Emergency Medical/Ambulance Services to the Borough of Hightstown by the Township of East Windsor through March 31, 2015; and”.

It was MOVED by ZOLLER and seconded by ROSENBERG that Resolution R2014-154 be approved with the requested changes.

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

There being (6) ayes, no (0) nays, Resolution R2014-154 was approved with the requested changes.

Resolution R2014-155 Appointment of Acting Municipal Clerk

The Deputy Municipal Clerk read by title Resolution R2014-155.

It was MOVED by LIPPMAN and seconded by ZOLLER that Resolution R2014-155 be approved.

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

There being (6) ayes, no (0) nays, Resolution R2014-155 was approved.

Resolution R2014-156 Approval for Repairs to the East Windsor Volunteer Fire
Company No. 2 Vehicle

The Deputy Municipal Clerk read by title Resolution R2014-156.

Mayor Mironov mentioned that on the Daytime Emergency Medical Services Agreement with Hightstown the Resolution from Hightstown needs to be removed from the Resolution.

It was MOVED by SHAPIRO and seconded by YEAGER that Resolution R2014-156 be approved.

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

There being (6) ayes, no (0) nays, Resolution R2014-156 was approved.

APPLICATIONS:

New Jersey Fireman's Association Membership Application for Kyle Nelidin

It was MOVED by LIPPMAN and seconded by ROSENBERG that the New Jersey Fireman's Association Membership Applications for Kyle Nelidin be approved.

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

There being (6) ayes, no (0) nays, the Membership Application was approved.

REPORTS BY COUNCIL AND STAFF:

Council Member Shapiro stated that the Planning Board met last night on August 4. The major discussion was the approval for the age-restricted community on Lanning Blvd. There are some issues remaining but they have received approval. They will be coming back to address those issues before finalizing the Resolution.

Mayor Mironov added that the Planning Board also did approve the settlement agreement as well.

Council Member Yeager stated that the Environmental Commission met on July 16, 2014. They discussed the Community Forestry Match Plan and the follow-up to the existing New Jersey Application Plan. The August meeting is cancelled and the next meeting will be September 17.

Council Member Rosenberg stated that the Clean Communities Committee met on July 24 and it was the usual business. The Committee present a certificate of recognition to East Windsor Deli. It is a wonderful place and wonderful owners and that they have been in that location for a while.

Mayor Mironov stated that National Night Out was tonight. It was a great turnout with many participants. The concert series is continuing with another one this Sunday and the following Sunday. The Senior Art show was held at Meadow Lakes on July 31. It was put on by Mercer County and is now going to go statewide. There were a number of East Windsor participants.

CORRESPONDENCE:

APPOINTMENTS:

Mayor Mironov appointed Aish Parelukar as a Student member to the Health Advisory Board.

Mayor Mironov is going to suggest Patrick Condon to be appointed to Clean Communities Committee and Martin Sacharoff as an auxiliary member to the Recreation Commission. She would like input from the Council Members. The Council members agree with the appointments.

It was MOVED by YEAGER and seconded by ROSENBERG to appoint Patrick Condon to the Clean Communities Committee for an unexpired term of December 31, 2016, Linda Melchor to the Health Advisory Board for the unexpired term December 31, 2014

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

There being (6) ayes, no (0) nays, the appointment was approved.

Mayor Mironov made the following auxiliary appointments: Andrew Dzurizin to the Health Advisory Board, Pramod Chembukar to the Recreation Commission and Marty Sacharoff to the Recreation Commission; all for terms to expire on December 31, 2014.

APPROVAL OF BILLS:

Mayor Mironov stated that there is a current 2014 bill list, escrow bill list, a capital bill list, and a current 2013 bill list and other misc. bill list all dated July 31, 2014

Council Member Zoller stated on page 5 of the 2014 current bill list there is a reoccurrence of toll violations incurred by the Police Department. He is asking for clarification.

Mayor Mironov stated that these will be held for further clarification. She said that this was explained once before but would like to confirm if this is for the same reason as before.

Council Member Zoller also addressed the Affordable Housing Trust Fund for the line item of "Housing Rehab Administrative Services" and sees the same charges on another account.

Mayor Mironov explained the process of why it is seen in multiple accounts.

Council Member Zoller wants to know, on page 2 on the escrow account, whether Shiseido America is a proper entry since all the other escrow entries have invoice numbers.

Mayor Mironov also would like to know why it is on the invoice. She would like it pulled for further clarification. She has concerns with the Riviera bills on page 1 as to the amount of money in such a short period of time. She would like to know if there has been any comments from Riviera in regards to the number of invoices in such a short period of time and would like to speak to T & M about them. On the 2014 current list, on page 7 there are totals under "Training and Tuition" under the Police Department, she would like to know how much has been expended to date and what the balance is in the budget account. On page 13, under "Other Contractual Services", there are three bills to Mercer Spring Corp. for spring repair, Mayor is asking that these are held for further clarification. On page 3 there is a notice for Planning Board, she wants to know what it is for. On page 11, "Other Contractual Services", there is a bill for \$1900 for Police Car transmission, she would like to know what that is.

Council Member Zoller questioned the line item on page 11 as to what a C15 is and why it is deductible fund?

Mr. Brady explained what a C15 is and why it is under deductible fund.

It was MOVED by LIPPMAN and seconded by ZOLLER that the bills be approved with the pulled bills and those subject to clarification.

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

There being six (6) ayes, no (0) nays the bills were approved with the pulled bills and those subject to clarification.

MATTERS BY COUNCIL:

Mayor Mironov stated that they are soliciting nominations for the 2014 Business Awards Program. A letter dated July 16, 2014 from Governor Christie in respect to the Grant award of \$525,000 for the Route 130/Conover/Hankins Road project.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Letters from Cranbury Township (June 6 and July 3, 2014) Regarding Construction of Liberty Way Bridge Across Cranbury Brook

Mayor Mironov said that two letters and a map were provided from Cranbury Township. The letters came from the Mayor Susan Gates and a phone call from Allan Kehrt, Planning Board Chairperson about the roadway that they have been trying to get built.

They are not asking for any money but need some state cooperation and permitting to cross Cranbury Brook. Mayor Mironov went out and looked at the proposed area. She wants feedback from the Council on whether to send a letter or any comments.

The Council consensus is to send a letter of cooperation to Cranbury Township for the project.

MATTERS BY PUBLIC: None

There being no further business Mayor Mironov adjourned the meeting at 9:10 p.m.

Erin Martin
Deputy Municipal Clerk

Janice S. Mironov
Mayor