

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, April 10, 2018

7:30 p.m.

### **MINUTES**

#### **CALL TO ORDER:**

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on Tuesday, April 10, 2018.

#### **VERIFICATION:**

Acting Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 4, 2018 in the annual meeting notice and on April 6, 2018, notices were sent to the Trenton Times, filed in 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.

#### **FLAG SALUTE:**

Led by Senator Linda Greenstein.

#### **ROLL CALL:**

Present were Council Members Denise Daniels, Marc Lippman, Perry Shapiro, Peter Yeager, John Zoller and Mayor Janice Mironov. Absent was Council Member Alan Rosenberg. Also present were Township Attorney David Orron, Township Manager Richard Brand and Acting Municipal Clerk Kelly Lettera.

#### **PRESENTATIONS & PROCLAMATIONS:**

##### **Women's History Month -- March 2018**

Mayor Janice S. Mironov, joined by East Windsor Council Member Denise Daniels, West Windsor Council Member Aeysha Hamilton, Mercer County Freeholder Ann Cannon, Mercer County Clerk Paula Sollami-Covello, Senator Linda Greenstein, West Windsor Council President Alison Miller, Assemblywoman Verlina Reynolds-Jackson, and Mercer County Surrogate Diane Gerofsky, issued a Proclamation recognizing Women's History Month in March. Mayor Mironov spoke about the importance of Women's History Month in the Township and the importance of women being represented in government.

##### **American Red Cross Month – March 2018**

##### **National Library Week – (April 8-14, 2018)**

Mayor Mironov presented the Proclamation, along with Barnes and Noble gift certificates donated by Shiseido America, to Sharon Galbraith Ryder, Branch Manager of the Hickory Corner Library and Jeanne Murray, Branch Manager of the Twin Rivers Library branch, along with East Windsor Township Mercer County Library Commission Representative Phyllis Anker and President of the Friends of the Library Group for Hickory Corner Library Debbie Scherholz. Mayor Mironov stated the importance of libraries because they provide unique opportunities for residents as a place to complete homework, borrow books or take advantage of different programs and classes run through the library. Mayor Mironov stated this year's theme was

Libraries Transform. Sharon and Jeanne thanked the Mayor and Council for their continued support.

### **Alcohol Awareness Month – April 2018**

Mayor Mironov presented a \$1,000 check funded by the Municipal Alliance grant and proclamation to After Prom Committee President Lisa Ernst and Committee Secretary Michele Charache of the East Windsor School District After-Prom Committee in recognition for their efforts by hosting the after-prom event to provide a fun, safe and alcohol-free environment for the students on prom night. Council Member Yeager expressed his appreciation on behalf of the Municipal Alliance. Mayor Mironov recognized the importance of the program for East Windsor Regional School District Hightstown High School in keeping Prom attendees safe by offering an alternative to drinking. Mayor Mironov stated that the program has been very successful over the last 30 years. Council Member Yeager thanked Lisa Ernst and Michele Charache on behalf of the Alliance.

Yom Hashoah- Day of Remembrance of the Holocaust- (April 11, 2018)

**INTERVIEWS FOR BOARDS AND COMMISSIONS:** No Interviews.

**PUBLIC FORUM:** No one spoke.

### **MINUTES:**

#### **May 16, 2017**

It was MOVED by Lippman, SECONDED by Yeager to approve the May 16, 2017 minutes.

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

There being six (6) ayes and no (0) nays, the May 16, 2017 minutes were approved.

#### **February 6, 2018**

It was MOVED by Zoller, SECONDED by Daniels to approve the February 6, 2018 minutes with the corrections and the underlined pages.

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

There being six (6) ayes and no (0) nays, the February 6, 2018 minutes were approved with the corrections and the underlined pages.

#### **February 13, 2018 Budget Session**

It was MOVED by Yeager, SECONDED by Zoller to approve the February 13, 2018 Budget Session minutes.

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

There being five (5) ayes, no (0) nays and one (1) abstention, the February 13, 2018 Budget Session minutes were approved.

### **February 20, 2018**

It was MOVED by Lippman, SECONDED by Shapiro to approve the February 20, 2018 minutes with the changes.

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

There being six (6) ayes and no (0) nays, the February 20, 2018 minutes were approved with the changes.

### **February 20, 2018 Budget Session**

It was MOVED by Zoller, SECONDED by Lippman to approve the February 20, 2018 Budget Session minutes.

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

There being six (6) ayes and no (0) nays, the February 20, 2018 Budget Session minutes were approved.

Mayor Mironov held September 12, 2017 minutes and requested that all remaining minutes listed on the agenda be rescheduled to the next Council meeting.

May 2, 2017  
October 10, 2017  
November 8, 2017 Closed Session  
December 5, 2017 Closed Session  
January 23, 2018 Closed Session  
March 6, 2018  
March 6, 2018 Closed Session

### **ORDINANCE – PUBLIC HEARING:**

**Ordinance No. 2018-02**

An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for the Teamsters Local 469 Union for Fiscal Years 2016, 2017, 2018 and 2019

**ORDINANCE 2018 - 02  
TOWNSHIP OF EAST WINDSOR  
COUNTY OF MERCER**

**AN ORDINANCE OF THE TOWNSHIP OF  
EAST WINDSOR, NEW JERSEY, TO  
ESTABLISH SALARIES AND WAGES FOR  
THE TEAMSTERS LOCAL 469 UNION  
FOR FISCAL 2016, FISCAL 2017, FISCAL 2018 AND FISCAL 2019**

**BE IT ORDAINED AND ENACTED** by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that employees of the Township in the Teamsters Local 469 Union shall be paid the following salaries and wages during years 2016, 2017, 2018 and 2019 as itemized in Section 1. Schedule of Salaries and until a successor Ordinance is adopted.

**SECTION 1. SCHEDULE OF SALARIES  
YEAR 2016**

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$37,184	\$46,594
5	\$40,912	\$51,258
6	\$44,997	\$58,069
7	\$49,503	\$63,879
8	\$54,449	\$70,267

**YEAR 2017**

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$37,834	\$47,409
5	\$41,628	\$52,155

6	\$45,784	\$59,085
7	\$50,369	\$64,997
8	\$55,402	\$71,497

**YEAR 2018**

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$38,591	\$48,357
5	\$42,460	\$53,198
6	\$46,700	\$60,267
7	\$51,376	\$66,297
8	\$56,510	\$72,927

**YEAR 2019**

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$39,363	\$49,324
5	\$43,309	\$54,262
6	\$47,634	\$61,472
7	\$52,404	\$67,623
8	\$57,640	\$74,386

The above salaries reflect 469 members received one and one-half (1.5%) percent increase in salary for the calendar year 2016, a one and three-quarters (1.75%) percent increase for calendar year 2017, a two (2.0%) percent increase for calendar year 2018 and a two (2.0%) percent increase in calendar year 2019.

**SECTION 2. CLASSIFICATION OF POSITIONS**

Grade 4	Custodian/Municipal Building; Custodian/Police Headquarters
Grade 5	Heavy Laborer; General Maintenance Worker
Grade 6	Laborer/Driver; Mechanic
Grade 7	Senior Mechanic; Equipment Operator 1
Grade 8	Equipment Operator 2

### **SECTION 3. LONGEVITY**

Longevity pay will apply to all employees after completion of five (5) consecutive years from date of first employment or prior public service. Longevity pay will be paid as a lump sum in the first pay in November of each year on a pro-rated basis from the anniversary date to the date of payment according to the following schedule:

<u>Service Time Completed</u>	<u>Longevity Pay</u>			
	<u>Year 2016</u>	<u>Year 2017</u>	<u>Year 2018</u>	<u>Year 2019</u>
5 – 9 Years	\$ 778	\$ 778	\$ 778	\$ 778
9 Years + 1 month to 14 Years	\$1,407	\$1,407	\$1,407	\$1,407
14 Years + 1 month to 19 Years	\$2,038	\$2,038	\$2,038	\$2,038
19 Years + 1 month and over	\$2,548	\$2,548	\$2,548	\$2,548

Employees hired on or after September 1, 2014 shall not be eligible for longevity benefit payments.

### **SECTION 4. GENERAL**

Employees shall be compensated according to the 40 – hour work week.

### **SECTION 5.**

All Ordinances and Resolutions inconsistent with this Ordinance are hereby repealed.

### **SECTION 6.**

Except as otherwise provided, rates of compensation provided herein are in effect

retroactive to January 1, 2016.

## **SECTION 7.**

This Ordinance shall become effective twenty (20) days after final passage and publication according to law and shall remain in effect until amended or suspended.

Mayor Mironov stated Ordinance 2018-02 was introduced at the March 6, 2018 meeting and the public hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2018-02. With no comment from the public made, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Lippman to adopt Ordinance 2018-02 and authorize publication as required by law.

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

There being six (6) ayes and no (0) nays, Ordinance 2018-02 was adopted and authorized for publication as required by law.

## **ORDINANCE – INTRODUCTION:**

**Ordinance 2018-03** An Ordinance to Exceed the Municipal Budget Appropriation Limits to Establish a Cap Bank

### **ORDINANCE NO. 2018-03 TOWNSHIP OF EAST WINDSOR MERCER COUNTY, NEW JERSEY**

### **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Council of the Township of East Windsor in the County of Mercer finds it advisable to permit an increase of its CY 2018 budget by up to 3.5%, if necessary, over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a an increase of up to 1.0 % increase in the budget for said year, amounting to \$188,038.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Township Council hereby determines that any amount authorized herein that is not appropriated as part of the final CY 2018 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of East Windsor, County of Mercer and State of New Jersey as follows:

**I**

1. In the CY 2018 budget year, the final appropriations of the Township of East Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$658,136.43 and that the CY 2018 municipal budget for the Township of East Windsor be approved and adopted in accordance with this ordinance; and,



2. Any amount authorized herein that is not appropriated as part of the final CY 2018 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

3. A certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction.

4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with said Director within 5 days after such adoption.

## **II REPEAL**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

## **III SEVERABILITY**

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

## **IV EFFECTIVE DATE**

This ordinance shall take effect twenty (20) days after the final passage and publication as required by law.

It was MOVED by Yeager, SECONDED by Lippman to approve Ordinance 2018-03 on introduction, authorize publication as required by law and set public hearing for April 24, 2018.

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

There being six (6) ayes, no (0) nays, Ordinance 2018-03 was approved on introduction, authorized for publication as required by law and public hearing was set for April 24, 2018.

## **RESOLUTIONS:**

**Resolution R2018-055**      Introduction of the 2018 Municipal Budget

It was MOVED by Lippman, SECONDED by Zoller to approve the Introduction of the 2018 Municipal Budget and set public hearing for May 8, 2018.

Mayor Mironov stated the 2018 Municipal Budget, for the sixth consecutive year, has no tax increase. The 2018 budget appropriations are \$22,455,510 and is just under 2% of the 2017 budget and the tax rate will remain at \$.43 per \$100 assessed valuation based on the 2018 valuation. The average residential property tax in East Windsor Township for the municipal portion will remain at \$1,121. Mayor Mironov stated the budget document is very conservative and responsible while providing high quality services for residents and maintaining no tax increase due to a number of factors. The staff and the elected officials take the responsibility of budgeting and spending very seriously and approach budgeting very conservatively, always thinking of the taxpayers and providing the necessary services. Those expenditures are monitored throughout the year. Mayor Mironov continued we work very hard in East Windsor and are very proactive with businesses in the community and a reflection of that is the 2018 tax base reflects an increase of almost \$54 million over 2017. Mayor Mironov also stated that the Township carefully spends every dollar in our budget and the 2018 budget is well under the tax levy cap. Mayor Mironov stated if the tax levy cap and the cap banks were utilized, we could increase the municipal tax rate by almost \$.08, although we are not. All this shows a great deal of discipline and sensitivity to our residents and how the budgeting responsibilities are handled. Mayor Mironov thanked all the Council Members for the work during the workshop sessions and the Finance Director Laurie Finger for doing a tremendous job in preparing the budget and supporting information throughout the year.

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

There being six (6) ayes and no (0) nays, Resolution R2018-055 was approved for the Introduction of the 2018 Municipal Budget and public hearing was set for May 8, 2018.

**Resolution R2018-056**      Introduction of the 2018 Garbage District No. 1 Budget

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2018-056 to for the Introduction of the 2018 Garbage District No. 1 Budget and to set public hearing for May 8, 2018.

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

There being six (6) ayes and no (0) nays, Resolution R2018-056 was approved for the Introduction of the 2018 Garbage District No. 1 Budget and public hearing was set for May 8, 2018.

**Resolution R2018-057** Approving the Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

**RESOLUTION R2018-057  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS,** N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS,** the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov stated this is a new requirement.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2018-057.

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

There being six (6) ayes and no (0) nays, Resolution R2018-057 was approved.

**Resolution R2018-058** Authorizing Amendments to 2018 Temporary Budget  
Appropriations

**RESOLUTION R2018-058  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, by Resolution R2018-08, adopted on January 1, 2018, the Township Council established a Temporary Budget for 2018; and

**WHEREAS**, by Resolution R2018-049, adopted on March 6, 2018, the Township Council approved an increase to the 2018 Temporary Budget for current fund in the amount of \$2,833,138.00 plus \$176,000.00 in garbage district No. 1, for a total of \$3,009,138.00; and

**WHEREAS**, an emergent condition has arisen with respect to municipal operating expenses until the official budget is adopted and no adequate provision has been made in the 2018 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

**WHEREAS**, this appropriation increases the 2018 Temporary Budget current fund in the amount of \$1,350,100.00 plus \$239,000.00 for garbage district No. 1 for a total of \$1,589,100.00, resulting in emergency temporary resolutions adopted in 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this Resolution, totaling \$9,570,941.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. The attached Emergency Temporary Appropriations is hereby approved in the amount of \$1,350,100.00 plus garbage district No. 1 appropriations in the amount of \$239,000.00, for a total amount of \$1,589,100.00.
2. These emergency temporary appropriations will be provided for in the 2018 budget.

3. One certified copy of this Resolution shall be filed with the Director of Local Government Services.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov stated she would like to move forward with the Resolution tonight although the Resolution needs to be restructured and corrected regarding the budget numbers. She set forth the changes. Once corrected and restructured it needs to be reviewed by the Finance Director for accuracy before certification.

It was MOVED by Lippman, SECONDED by Yeager to approve Resolution R2018-058 with the restructuring and changes.

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

There being six (6) ayes and no (0) nays, Resolution R2018-058 was approved with the restructuring and changes.

Mayor Mironov stated the amounts for the three following Resolutions were reviewed and approved in January for the Kelly Bill reimbursements. The motion and vote will be for all three.

**Resolution R2018-059**      Approval of Agreement with Twin Rivers Homeowners Association for Reimbursement for Private Community Services for 2017

**RESOLUTION R2018-059  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Twin Rivers Homeowners Association wish to enter into an Agreement for private community services for the year 2017 in the amount of \$21,305.87 pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 8-01-26-325-802-253 entitled Condo Services, in the amount of \$21,305.87, pending the adoption of the 2018 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2018-013.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that:

1. The attached Agreement for the year 2017 in the amount of \$21,305.87 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

**Resolution R2018-060**      Approval of Agreement with Windsor Mill Condominium Association for Reimbursement for Private Community Services for 2017

**RESOLUTION R2018-060  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Windsor Mill Condominium Association wish to enter into an Agreement for private community services for the year 2017 in the amount of \$13,227.96, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 8-01-26-325-802-253 entitled Condo Services, pending the adoption of the 2018 Municipal Budget, in the amount of \$13,227.96, as evidenced by the Chief Financial Officer's Certification No. B2018-014.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that:

1. The attached Agreement for the year 2017 in the amount of \$13,227.96 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

**Resolution R2018-061**      Approval of Agreement with Stonegate Homeowners Association  
for Reimbursement for Private Community Services for 2017

**RESOLUTION R2018-061  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Stonegate Homeowners Association wish to enter into an Agreement for private community services for the year 2017 in the amount of \$3,604.27, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 8-01-26-325-802-253 entitled Condo Services, pending the adoption of the 2018 Municipal Budget, in the amount of \$3,604.27, as evidenced by the Chief Financial Officer's Certification No. B2018-015.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that:

1. The attached Agreement for the year 2017 in the amount of \$3,604.27 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2018-059, Resolution R2018-060 and Resolution R2018-061.

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

There being six (6) ayes and no (0) nays, Resolution R2018-059, Resolution R2018-060 and Resolution R2018-061 were approved.

**Resolution R2018-062**      Approval of Amendment to Professional Services Agreement with  
Jolanta Maziarz of Ventura, Miesowicz, Keough & Warner for  
Affordable Housing Attorney

Mayor Mironov asked to hold Resolution R2018-062.

**Resolution R2018-063** Authorizing Cancellation of Uncollectible Taxes

Mayor Mironov asked to hold Resolution R2018-063 due to several corrections that need to be made within the Resolution.

**Resolution R2018-064** Authorizing Refund of Tax Overpayments

**RESOLUTION R2018-064  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the East Windsor Tax Collector has certified that there have been overpayments for various reasons on certain properties; and

**WHEREAS**, the taxpayers are entitled to refunds.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to make payments to the taxpayers for overpayments according to the attached Tax Collector's 2018 Refund of Taxes List Number 1 dated March 22, 2018.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2018-064.

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

There being six (6) ayes and no (0) nays, Resolution R2018-064 was approved.

**Resolution R2018-065** Approval of Contract with Vital Communications, Inc. for Computer Services for the Tax Assessor's Office

**RESOLUTION R2018-065  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for data processing services for the East Windsor Township Tax Assessor's Office; and



**WHEREAS**, Vital Communications, Inc. is the sole provider of the software and the Township Council has reviewed the Township Tax Assessor's recommendation on said software; and

**WHEREAS**, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

**WHEREAS**, the maximum amount of the contract is \$11,519.04 and funds are available pending adoption of the 2018 Municipal Budget in Current Fund Account No. 8-01-20-140-140-245, entitled Data Processing, as evidenced by the Chief Financial Officer's Certification No. B2018-016.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached contract with Vital Communications, Inc., 900 South Broad Street, Trenton, New Jersey 08611, for the MODIV data processing appraisal services in the amount of \$8,519.04 a year and the attached contract for CAMA mapping appraisal services in the amount of \$3,000.00, for a total amount not to exceed \$11,519.04, both for terms of April 1, 2018 through March 31, 2019, for the East Windsor Township Tax Assessor Office.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov requested that the Resolution should state the proper name and the contract term should be included. The Resolution should also include attachment of both of the contracts for signature.

It was **MOVED** by Lippman, **SECONDED** by Zoller to approve Resolution R2018-065 subject to the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2018-065 was approved subject to the changes.

**Resolution R2018-066**      Approval of Certified List of Volunteer Members for Length of Service Award Program (LOSAP)

**RESOLUTION R2018-066  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, a Length of Service Award Program (LOSAP) for volunteer members serving Fire Company No. 1, Fire Company No. 2, and Rescue Squad, District 1, was authorized by referendum of East Windsor Township voters on November 7, 2000 creating a Length of Service Award Program in accordance with Chapter 388 of the Laws of 1997; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-191, emergency service organizations participating in a LOSAP shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

**WHEREAS**, upon receipt of the certified list from the emergency service organizations, the sponsoring agency shall review the list and upon finding that the list is accurate, approval shall be made by resolution of the governing body; and

**WHEREAS**, the Manager has reviewed the attached certified lists of qualified volunteer members submitted by Fire Company No. 1, Fire Company No. 2, and Rescue Squad, District 1 and recommends approval by the Township Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey as follows:

1. The Mayor and Township Council hereby approve the certified lists of volunteer members who have qualified for credit under the Length of Service Award Program (LOSAP) program for 2017, prepared by and submitted on behalf of Fire Company No. 1, Fire Company No. 2, and Rescue Squad, District 1, copies of which are attached hereto and made part of this Resolution.
2. The Municipal Clerk, Fire Company No. 1, Fire Company No. 2, and Rescue Squad, District 1 are hereby directed to post these certified lists for a period of 30 days as required by the governing State statutes.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov stated that there were several typographical errors that needed to be corrected within the Resolution. In the first paragraph, a comma should be added after *District 1*. In the last paragraph in the second line, *the certified lists* should be corrected to *these certified lists*. It was MOVED by Lippman, SECONDED by Daniels to approve Resolution R2018-066 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2018-066 was approved with the changes.

**Resolution R2018-067**      Authorizing Renewal of Agreement for Daytime Emergency Medical/Ambulance Services with Robert Wood Johnson Health Network for East Windsor Township

**RESOLUTION R2018-067  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, on May 5, 2015, by Resolution R2015-089, the East Windsor Township Council approved a five (5) year contract with Robert Wood Johnson Health Network, Inc., with an initial three (3) year term and option for two (2) one-year renewal terms, with the contract beginning June 1, 2015 for Daytime Private Emergency Medical/Ambulance Services for a contract price not to exceed \$102,000.00 over five years; and

**WHEREAS**, the Township Council has reviewed the recommendation of the Chief of Police; and

**WHEREAS**, the maximum annual amount of the contract for year four (4) is \$20,400.00 and the Chief Financial Officer has determined that sufficient funds are available in the Current Account No. 8-01-25-260-318-253 entitled “Contracted EMS Services,” pending adoption of the 2018 budget, as evidenced by the Chief Financial Officer’s Certification No. B2018-017.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, as follows:

1. The Contract for Daytime Private Emergency Medical/Ambulance Services with Robert Wood Johnson Health Network, Inc., Mobile Health Service, 127 Paterson Street, New Brunswick, New Jersey 08901, is hereby renewed for one (1) year, June 1, 2018 through May

31, 2019, in an amount not to exceed \$20,400.00.

2. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this renewal of the contract, and that the resolution and renewal are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov stated the Chief of Police provided a memo with a recommendation on this.

It was MOVED by Yeager, SECONDED by Lippman to approve Resolution R2018-067.

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

There being six (6) ayes and no (0) nays, Resolution R2018-067 was approved.

**Resolution R2018-068**      Authorizing Renewal of Agreement for Weekend Emergency Medical/Ambulance Services with Robert Wood Johnson Health Network for East Windsor Township

**RESOLUTION R2018-068  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, on June 6, 2017, by Resolution R2017-102, the East Windsor Township Council approved a three (3) year contract with Robert Wood Johnson Health Network, Inc., with an initial one (1) year term and option for two (2) one-year renewal terms, with the contract beginning June 1, 2017 for Weekend Emergency Medical/Ambulance Services for a contract price not to exceed \$61,200.00 over three years; and

**WHEREAS**, the Township Council has reviewed the recommendation of the Chief of Police; and

**WHEREAS**, the maximum annual amount of the contract for year two (2) is \$20,400.00 and the Chief Financial Officer has determined that sufficient funds are available in the Current Account No. 8-01-25-260-318-253 entitled "Contracted EMS Services," pending adoption of the 2018 budget, as evidenced by the Chief Financial Officer's Certification No. B2018-018.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, as follows:

1. The Contract for Weekend Emergency Medical/Ambulance Services with Robert Wood Johnson Health Network, Inc., Mobile Health Service, 127 Paterson Street, New Brunswick, New Jersey 08901, is hereby renewed for one (1) year, June 1, 2018 through May 31, 2019, in an amount not to exceed \$20,400.00.
2. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this renewal of the contract, and that the resolution and renewal are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov stated the Chief of Police provided a memo with a recommendation on this.

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2018-068.

Mayor Mironov discussed with the Chief of Police the renewal and at this time it is needed, but if there is no need for services that will be discussed in the future.

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

There being six (6) ayes and no (0) nays, Resolution R2018-068 was approved.

**Resolution R2018-069**      Authorizing Closed Session: (Personnel: Clerk; Deputy Clerk)

**RESOLUTION R2018-069  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township Council is of the opinion that such circumstances exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, as follows:

1. The public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:

Closed Session: (Personnel: Clerk; Deputy Clerk)

3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2018-069.

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

There being six (6) ayes and no (0) nays, Resolution R2018-069 was approved.

**Resolution R2018-070**      Approval of Agreement with New Jersey Transit, under section 5310 Program for 2017 Freightliner Defender Medium Duty Bus for East Windsor Township

**RESOLUTION R2018-070  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Federal Transit Administration (FTA) is authorized to fund the procurement of capital equipment, including mass transit vehicles, to serve the elderly and persons with disabilities under Section 5310 of the Federal Transit Act, as amended; and

**WHEREAS**, New Jersey Transit administers the Section 5310 program in the State of New Jersey; and

**WHEREAS**, East Windsor Township operates a local bus service to serve the transportation needs of the elderly and the disabled in partnership with Mercer County and Hightstown Borough; and

**WHEREAS**, the Township was the recipient of a Section 5310 vehicle in 2008 and the Federal Transit Administration and NJ Transit have approved the Enhanced Mobility for Seniors and Persons with Disabilities Transportation Competitive Grant Application submitted by East Windsor Township for a replacement vehicle; and

**WHEREAS**, the attached FTA Section 5310 agreement for the transfer and use of a 2017 Freightliner Defender 24-Passenger vehicle to the Township sets forth the terms, conditions and requirements imposed upon East Windsor Township as a sub recipient, to New Jersey Transit, in accordance with the Federal Transit Administration's policies.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that:

1. The Mayor and Municipal Clerk are hereby authorized to execute the attached FTA Section 5310 Agreement between the New Jersey Transit Corporation and the Township of East Windsor for the transfer and use of the 2017 Freightliner Defender 24-Passenger vehicle to the Township of East Windsor.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 10, 2018.

Mayor Mironov requested that a few changes be made in the fifth paragraph of the Resolution. Mayor Mironov stated this is a new bus that has been awarded to East Windsor Township for services within the community for the seniors. Mayor and Council were very excited.

It was MOVED by Daniels, SECONDED by Yeager to approve Resolution R2018-070 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2018-070 was approved with the changes.

#### **APPLICATIONS:**

Raffle License RL: 2018-002	Veterans of Foreign Wars Post 5700 – from Saturday April 12, 2018 through April 12, 2019 at 140 Dutch Neck Road, East Windsor, NJ Instant Raffles
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It was MOVED by Shapiro, SECONDED by Zoller to approve RL: 2018-002.

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

There being five (5) ayes, no (0) nays, one (1) abstention, RL: 2018-002 was approved.

Raffle License RL: 2018-003                      Hightstown East Windsor Youth Baseball League at 140  
N. Main Street— Instant Raffle

It was MOVED by Zoller, SECONDED by Daniels to approve RL: 2018-003.

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

There being six (6) ayes and no (0) nays, RL: 2018-003 was approved.

#### **REPORTS BY COUNCIL AND STAFF:**

Council Member Daniels reported on the Commission on Health and stated the community garden is moving forward with many of the plots being occupied by past gardeners and everyone is very excited to get started. Mayor Mironov stated the Economic Development Committee met on April 5 and spoke about the State of the Township hosted by MidJersey Chamber of Commerce on May 24. Mayor Mironov also stated the Committee is looking to put together a program with the Princeton Regional Chamber of Commerce in the fall, and they also discussed ideas for the Route 130 property that is owned by the Township. Council Member Shapiro spoke about the Planning Board meeting that was held last night and a number of items were discussed, such as the Windsor Castle development and a new warehouse project at 269 Wyckoff Mills Road.

#### **CORRESPONDENCE:**

#### **APPOINTMENTS:**

None

#### **APPROVAL OF BILLS:**

Mayor Mironov stated a 2018 Current Bill list, 2017 Current Bill list, Affordable Housing Bill List and other miscellaneous bill lists and trust accounts were provided.

Mr. Zoller asked for clarification regarding the two separate entries for the My Senior Center software. The first entry is on the first page of the Recreation Department bill list and the



second entry is on the first page of the trust bill list. Mayor Mironov stated that the My Senior Center Software was a topic of discussion by Council previously and that the entry on the trust bills list represents donations from senior citizens that were to be applied to the cost of the software. The remaining balance is to be paid from the Recreation Department, which is why there are two entries.

Mayor Mironov asked to hold two bills on the Capital bills list, the first for the annual road program and the second for the turn out gear. She asked for confirmation that the equipment was received by the Fire Company and that they are satisfied with the equipment.

It was MOVED by Lippman, SECONDED by Zoller to approve the Bill Lists with the holds and clarifications requested.

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

There being six (6) ayes and no (0) nays, the various presented Bill Lists were approved with the holds and clarifications requested.

#### **MATTERS BY COUNCIL:**

Mayor Mironov stated a memo was distributed on the 2018 fireworks vendors relating to the questions from the last meeting. She noted a report from the Tax Collector for the period ending February 28, 2018 was distributed to Mayor and Council and a copy of a memo regarding a personnel policy for conserving resources dated March 13, 2018 from the Manager as part of the Township's participation in the Sustainable NJ program was also distributed. Mayor Mironov stated that Saturday, April 14 a Recycling Day shredding event will be held at the Senior Center from 10 am to 2 pm, and on April 21 the Watershed Stream Clean-up is taking place.

Deputy Mayor Zoller stated during travels he sometimes finds street lights or private property parking lot lights that are out and he would like to know who is responsible for replacing those lights. Mayor Mironov stated the residents should report all lights that are out to the Township, JCP&L or Property Management for their complex.

#### **DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:**

##### **1. 2018 Summer Concerts and Events**

Mayor and Council unanimously agreed to move forward with "The Real Diamond" for August 12, the "Satisfaction Group" for July 29, the "Infernos" on August 26 and Family Night will be July 21, 2018.

##### **2. Child Safety Seat Program**

Mayor and Council received a memo from the Chief of Police regarding the program and received a grant in the amount of \$7,000. The Mayor and the Chief of Police spoke about the events in the town and discussed attempting to schedule safety checks during other Township events. Mayor and Council Members suggested that Family Night in the park would be one great idea. Council Member Zoller suggested National Night Out would also be a great place to hold this program. Mayor Mironov agreed and requested that a schedule be put together.

3. Township Distracted Driving Campaign

Mayor Mironov stated a \$6,600 grant was received for this program and she is in support of the campaign.

4. Operation Medicine Cabinet

Mayor Mironov and Council Members are in support of the event sponsored by the New Jersey Division of the U.S. Drug Enforcement Administration (DEA) set for April 28, from 10 am to 2 pm. Council Member Yeager stated this is a great way to get residents to the Township to drop off unwanted medicines and also make them aware of our permanent drop box that is available 24 hours a day, 7 days a week at the Police/Court building.

5. Police/Court Building Roof and Professional Report Updates and Status

Mayor Mironov stated she did not understand the cost of the repairs to the surveillance camera and how does the Township have a guarantee that they are taking care of the bill. Ray Wheaton, Director of Public Works, stated he received verbal authorization but will reach out tomorrow to get written authorization

6. Municipal Building HVAC Status and Professional Report Updates and Status

Mayor Mironov stated there is a lot of updated information provided in Council's folders regarding the work being done. Mayor Mironov stated that Envirocon was going to be on site this coming week and she would be looking for an update once complete. Also she is looking for written authorization on the warranty and the expiration date. Lastly, the report should be provided to Mayor and Council with all outstanding items at this point. Mayor asked the Director of Public Works about the controls and what is the functionality and how is the temperature being controlled. Ray Wheaton, Director of Public Works, stated the switchover will be done soon by the contractor. Richard Brand stated he would further explain that the controller is touch screen and the unit must be purchased separately due to issues between the provider and the contractor. The contractor must do training to have the air handler working properly and efficiently and provide the Township with a letter.

**MATTERS BY PUBLIC:**

No one spoke.

**ADJOURNMENT:**

There being no further business Mayor Mironov declared the meeting adjourned at 9:37 p.m.

Next Meeting: Tuesday, April 24, 2018 @ 7:00 p.m

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Kelly Lettera  
Municipal Clerk

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Janice S. Mironov  
Mayor

