

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, November 6, 2019

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 7:50 p.m. on Tuesday, November 6, 2019.

VERIFICATION:

Deputy Municipal Clerk Allison Quigley certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on November 2, 2019, 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 Council Member John Zoller.

ROLL CALL:

Present were Council Members Denise Daniels, Alan Rosenberg, Perry Shapiro, John Zoller and Mayor Janice Mironov. Council Members Marc Lippman and Peter Yeager were absent. Also present were Township Attorney David Orron, Township Manager Richard Brand and Deputy Municipal Clerk Allison Quigley.

PRESENTATIONS & PROCLAMATIONS:

Eagle Scout Court of Honor: Cameron Watkins, Boy Scout Troop 59 (November 23, 2019)

Cameron Watkins presented his Eagle Scout project which he proposed to construct and install a shade structure over the existing bench at the Disbrow Hill Community Gardens in Disbrow Hill Park.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

*Hayden Bandel was late for the meeting and the interview was done prior to Resolution R2019-174.

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

October 23, 2018

February 12, 2019

March 19, 2019
July 23, 2019
August 6, 2019
September 10, 2019
October 15, 2019
October 29, 2019

All remaining minutes were held to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2019-139 Authorizing Purchase of Asphalt from Trap Rock Industries for Department of Public Works

**RESOLUTION R2019-139
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase bituminous material for road improvements in East Windsor; and

WHEREAS, quotes were solicited from vendors with the closest pickup locations; and

WHEREAS, Trap Rock Industries is the only company which remains open all winter for this purchase; and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

WHEREAS, the Township Council has reviewed the Director of Public Works recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$10,000.00 and funds are available in the Capital Fund Account No. C-04-55-980-920-890 entitled Ordinance 2017-02 entitled “Annual Road Program”, as evidenced by the Chief Financial Officer’s Certification No. 2019-013.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Trap Rock Industries, P.O. Box 419, Kingston, New Jersey 08528, for the purchase of bituminous material, for a total amount not to exceed \$10,000.00, as per the attached quote.

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 November 6, 2019.

Mayor Mironov stated a memo was provided to Mayor and Council from the Director of Public Works on the purchase. Mayor Mironov stated in the memo the Director explains that there are two sources for asphalt, one that is used when the facilities are closed and the other that is utilized the remainder of the year. Mayor Mironov requested that in the third paragraph it should read “the only company that remains open for this purchase.”

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Resolution R2019-139 with the revisions.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-139 was approved with the revisions.

Resolution R2019-173 Authorizing Purchase of Asphalt from Stavola Asphalt Company for Public Works Department

**RESOLUTION R2019-173
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase bituminous material for road improvements in East Windsor; and

WHEREAS, quotes were solicited from vendors with the closest pickup locations; and

WHEREAS, Stavola Asphalt Company, Inc. currently has the lower overall cost and its nearby location in Millstone Township saves considerable costs in transportation and time and provides delivery before the material can cool; and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

WHEREAS, the Township Council has reviewed the Director of Public Works recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$7,000.00 and funds are available in the Capital Fund Account No. C-04-55-980-920-890 entitled Ordinance 2017-02 entitled "Annual Road Program", and in the Capital Fund Account No. C-04-55-980-921-890 entitled Ordinance 2017-15 entitled "Annual Road Program", as evidenced by the Chief Financial Officer's Certification No. C2019-013.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Stavola Asphalt Company, 175 Drift Road, Tinton Falls, NJ 07724, for the purchase of bituminous material, for a total amount not to exceed \$7,000.00, as per the attached quote.

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 November 6, 2019.

Council Member Rosenberg questioned the amount on the quote. Mayor Mironov stated the cost is on a per ton basis and will only reflect the amount being spent and what the town purchases.

It was **MOVED** by Daniels, **SECONDED** by Zoller to approve Resolution R2019-173.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-173 was approved.

*Hayden Bandel, East Windsor Regional School District student, interviewed and is interested in volunteering for the Recreation Commission or Commission on Aging.

Resolution R2019-174 Authorizing Purchase of Rock Salt from Chemical Equipment Labs for Public Works Department

RESOLUTION R2019-174
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase untreated rock salt; and

WHEREAS, in accordance with N.J.S.A. 40A:11-11, the Township can cooperatively purchase materials which have been bid by the County Government under a County Cooperative Pricing System; and

WHEREAS, Mercer County went out to bid for purchase of untreated rock salt, and on December 19, 2017 awarded contract CK09-MERCER-2017-23, for a two year term from January 24, 2018 to January 23, 2020, to the lowest responsible bidder at \$53.99 per ton for Mercer County and Mercer County Cooperative Pricing System, to Chemical Equipment Labs, 3920 A. Providence Road, Newton Square, PA 19073; and

WHEREAS, the Township Council has reviewed the Director of Public Work's recommendations on this purchase; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in 2019 Municipal Operating Budget Account No. 9-01-26-290-401-223 entitled "DPW Rock Salt/Snow & Ice Removal", in an amount not to exceed \$26,995.00, as evidenced by the Chief Financial Officer's Certification No. B2019-035.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Chemical Equipment Labs, 3920 A. Providence Road, Newton Square PA 19073, under the Mercer County Cooperative Contract Purchasing System CK09-MERCER-2017-23 for rock salt at \$53.99 per ton, for 500 tons of rock salt, in a total amount not to exceed \$26,995.00.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the East Windsor Township Council at a meeting held on November 6, 2019.

Mayor Mironov stated a memo was provided to Mayor and Council from the Director of Public Works recommending this purchase.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-174.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-174 was approved.

Resolution R2019-175 Authorizing Purchase of Replacement Engine for Leaf Vacuum from Central Jersey Equipment for Department of Public Works

**RESOLUTION R2019-175
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase a replacement engine for a self-contained leaf vacuum for the Public Works Department; and

WHEREAS, there is only one local vendor authorized to sell this equipment;
and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

WHEREAS, the Township Council has reviewed the Director of Public Works recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$8,938.80 and funds are available in the Capital Fund Account No. C-04-55-937-419-905 entitled Ordinance 2004-19 entitled "Catch Basin Maintenance Program" as evidenced by the Chief Financial Officer's Certification No. C2019-017.

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:

2. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Central Jersey Equipment, 2885 Route 206 South, Building 4, Columbus, NJ 08022, for the purchase of a replacement engine for a self-contained leaf vacuum for the Public Works Department, for a total amount not to exceed \$8,938.80, all in accordance with the attached quote.

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 November 6, 2019.

Mayor Mironov stated a memo was provided to Mayor and Council from the Director of Public Works recommending this purchase. She further stated the second paragraph needs to read as "only one local vendor authorized to sell this equipment."

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve Resolution R2019-175 with the revisions.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-175 was approved with the revisions.

Resolution R2019-176 Approval of Purchase of Replacement Turn-Out Gear from SAFE-T for East Windsor Volunteer Fire Company No. 1

**RESOLUTION R2019-176
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase replacement turn-out gear, (coats, pants, hoods and gloves) for the East Windsor Volunteer Fire Company No. 1; and

WHEREAS, three (3) quotes were obtained to provide this replacement turn-out gear; and

WHEREAS, the lowest cost proposal was submitted by SAFE-T; 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 Township Council has reviewed the Township Manager's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$15,063.60 and funds are available in Account No. C-04-55-980-923-531 entitled Ordinance 2019-01, entitled "FC#1 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No.C2019-015.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to: Safe-T, 23 Hamburg Turnpike, Unit A, Riverdale, New Jersey 07457, for five (5) Morning Pride turnout coats and five (5) Morning Pride turnout pants at \$3,012.77 per set, for a total amount not to exceed \$15,063.60, for the East Windsor Volunteer Fire Company No. 1, Inc., all in accordance with the attached quote.

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 November 6, 2019.

Mayor Mironov stated in the Now Therefore section it needs to read as "\$3,012.77 per set, for a total amount not to exceed \$15,063.60." Mayor Mironov also stated the Township Manager recommended this purchase.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve Resolution R2019-176 with the revisions.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-176 was approved with the revisions.

Resolution R2019-177 Approval of Purchase of 2020 Chevrolet Tahoe SUV from Hertrich Fleet Services Inc. for East Windsor Volunteer Fire Company No. 1

**RESOLUTION R2019-177
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase a replacement SUV Command Vehicle for East Windsor Volunteer Fire Company #1; and

WHEREAS, quotes were solicited from three (3) vendors to provide this equipment; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the lowest responsive quote was submitted by Hertrich Fleet Services through State Contract No. A88729 which is valid through March 15, 2020; and

WHEREAS, the Township Council has reviewed the recommendation made by the Township Manager; and

WHEREAS, the maximum amount of the purchase is \$35,906.56 and funds are available in Account No. C-04-55-980-923-927 entitled Ordinance 2019-01 entitled "FC#1 Sport Utility Vehicle Acquisition" as evidenced by the Chief Financial Officer's Certification No. C2019-016.

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

1. The Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition under State Contract No. A88729, to Hertrich Fleet Services, 1427 Bay Road, Milford DE 19963, for the purchase of a 2020 Chevrolet Tahoe SUV vehicle, in an amount not to exceed \$35,906.56, as set forth in the attached quote.

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 November 6, 2019.

Mayor Mironov stated a recommendation was received from the Township Manager on this purchase. She stated the formatting needs to be changed in the second paragraph. Mayor

Mironov also requested that the accessory materials need to be bundled together and referenced in the recommendation.

It was MOVED by Shapiro, SECONDED by Zoller to approve Resolution R2019-177 with the revisions and requests.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-177 was approved with the revisions and requests.

Resolution R2019-178 Authorizing Closed Session: (Litigation: 6 and 20 Conover Road)

**RESOLUTION R2019-178
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: (Litigation: 6 and 20 Conover Road)
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 November 6, 2019.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2019-178.

ROLL CALL: Ayes – Daniels, Rosenberg, Shapiro, Zoller, Mironov

Nays – None

There being five (5) ayes, and no (0) nays, Resolution R2019-178 was approved.

Resolution R2019-179 Authorizing Transfers Among the 2019 Budget Appropriations

**RESOLUTION R2019-179
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore, and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2019 budget appropriations as follows:

	<u>TO</u>	<u>FROM</u>
Elections		
OE	2,600.00	
Bond		
Principal		
OE	95,000.00	
Electric –		
Municipal		
Building	10,000.00	
TOTAL	107,600.00	
Municipal		
Clerk OE		2,600.00
Bond		
Interest		
OE		95,000.00
Utilities		
and		
Motor		
Fuels		10,000.00
TOTAL		107,600.00

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 November 6, 2019.

Mayor Mironov stated she has a problem with the amount requested for the electric. She stated with the Municipal Building having a brand new system and the Police Department having solar, there should be no reason for the extreme increase in electric costs. Mayor Mironov stated she is not supporting the increase for the electric bills. She also requested to revise the Resolution to reflect \$10,000 for the Municipal Building, remove the police building line and change the source to utilities and motor fuels in the amount of \$10,000. She also requested further clarification regarding the two buildings and the reasons for the increase and how to minimize these costs with the new systems. She also requested that the subject is relisted on the next regularly scheduled agenda. All Council Members unanimously agreed that they would like to know what the plan is and why after a new system it is not what the original expectations were.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2019-179 with the revisions and requests.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-179 was approved with the revisions and requests.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

CORRESPONDENCE:

APPOINTMENTS:

APPROVAL OF BILLS:

Mayor Mironov stated a 2019 Current Bill list, 2018 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

It was MOVED by Shapiro, SECONDED by Daniels to approve the Bill Lists.

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

There being five (5) ayes, and no (0) nays, the various presented Bill Lists were approved.

MATTERS BY COUNCIL:

Mayor Mironov stated a memo was received from the Recreation Director, dated October 18, regarding the annual egg hunt. Mayor Mironov stated a memo from the Public Works Director, dated October 29, regarding the October 28 Council meeting bill list questions were provided to Mayor and Council. Mayor Mironov stated a memo, dated October 29, was provided to Mayor and Council on the status of the No Net Loss Program. Mayor Mironov stated a letter, dated October 25, 2019, from Act Engineers on the status of the Old Cranbury Road project was provided to staff. She further requested that the Old Cranbury Road information needs to be provided directly to who the letter was addressed too, which was the Mayor. She noted another letter, dated October 25, from ACT Engineers was received on the status of the Oak Creek Road resurfacing project.

Mayor Mironov questioned if the Brooktree Road restoration project has been inspected and closed out or if there is a period of time that a re-inspection needs to take place. She further stated typically a maintenance bond or some kind assurance takes place after the road is completed to ensure that the road has been done properly. The Township Manager stated the Township will be monitoring the road for the next few months to ensure that they are being maintained properly. He further stated that he was waiting on a letter from PSE&G regarding a three year warrantee for the roadway project. Mayor Mironov questioned the Dutch Neck Morrison Road project and when the project will be received. She stated the bid documents need to go out and is looking for information on when it will be completed. The Township Manager stated he and staff are meeting tomorrow to gather information to resubmit the plans to NJDOT for final approval. Mayor Mironov requested to list the topic on the next regularly scheduled agenda. Mayor Mironov expressed her concern with getting the project done prior to the end of the year. Mayor Mironov stated that the Assistant Township Manager provided information on the Union Transportation Trail although the information provided was not the requested information and further requested additional information to move the project forward. Mayor Mironov stated the topic needs to be listed on the next regularly scheduled agenda and a report needs to be done regarding the scheduling and status on the meetings. Mayor Mironov stated that the Township Attorney sent a letter out regarding Magnolia Ridge. Mayor Mironov stated that Hankins Route 130 project seems out of control and she requested a status report on the timeline of when the project will be completed. Council Member Zoller stated the bridge work on Old Trenton Road and One Mile Road is near completion. Mayor Mironov stated the bridgework would be an additional two weeks and should be completed by the middle of the month.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2020 East Windsor Township Independence Day Celebration

Mayor Mironov stated the Recreation Director provided a memo on the dates for the Independence Day celebration. Council Member Daniels stated July 2 is the kick-off to the long

holiday and she thought that would be a great idea. Council Members unanimously decided that the Recreation Director look into July 2 and July 5 for availability.

2. Township Open Space Property Acquisitions

a. 641 Etra Road (Block 32, Lot 13.01)

Resolution R2019-180

Approval of Professional Services Agreement with Air, Land & Sea Environmental Management Services for Site Investigation Testing Activities for 641 Etra Road (Block 32, Lot 13.01)

**RESOLUTION R2019-180
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township is considering acquisition of the following properties: 641 Etra Road (Block 32, Lot 13.01), 140 Cedarville Road (Block 30, Lot 19.03), 949 Windsor Perrineville Road (Block 31, Lot 21) and 820 Windsor Perrineville Road (Block 35, Lot 4 and 4.01), to preserve as open space; and

WHEREAS, on August 6, 2019, by Resolution R2019-144 the East Windsor Township Council authorized a contract with Brownfield Redevelopment Solutions, Inc., in the amount of \$1,800.00 to prepare a preliminary assessment report for the property located at 641 Etra Road (Block 32, Lot 13.01); and

WHEREAS, in their September 27, 2019 Preliminary Assessment Report (PAR) with Appendices, Brownfield Redevelopment Solutions identified “one (1) potentially contaminated area of concern (AOC) that requires further investigation,”; and

WHEREAS, the Township solicited and received three (3) quotes for Site Investigation Testing Activities, including investigating and assessing the subsurface conditions in the area of concern; and

WHEREAS, the overall lowest most responsive proposal was received from Air, Land & Sea Environmental Management Services, Inc.; and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

WHEREAS, the Township Council has reviewed the Assistant Township Manager’s recommendation; and

WHEREAS, the maximum amount of the contract is \$8,024.00 and funds are available in the Account No. T-13-56-857-802, entitled Reserve for Open Space, as evidenced by the Chief Financial Officer's Certification No. T2019-015.

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 enter into the attached Agreement with Air, Land & Sea Environmental Management Services, Inc. 11 Tunes Brook Drive, Brick, NJ 08723, to perform site investigation testing activities for the property located at 641 Etra Road (Block 32, Lot 13.01) in an amount not to exceed \$8,024.00.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. 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 contract, and that the resolution and contract 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 November 6, 2019.

Mayor Mironov stated that she had asked the Assistant Manager to provide a memo regarding this topic but the information was not relayed to revise the Resolution. She stated that she is willing to approve the Resolution subject to the Resolution being completely revised.

It was **MOVED** by Rosenberg, **SECONDED** by Daniels to approve Resolution R2019-180 subject to the revisions.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-180 was approved subject to the revisions.

- b. 949 Windsor-Perrineville Road (Block 31, Lot 21)

Resolution R2019-181

Award of Professional Services Agreement with Brownfield Redevelopment Solutions, Inc. for Preliminary Assessment Report (PAR) Services for Green Acres Funded

Open Space Property Acquisitions for 949
Windsor-Perrineville Road (Block 31, Lot
21)

**RESOLUTION R2019-181
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township is considering acquisition of the following properties: 641 Etra Road (Block 32, Lot 13.01), 140 Cedarville Road (Block 30, Lot 19.03), 949 Windsor Perrineville Road (Block 31, Lot 21) and 820 Windsor Perrineville Road (Block 35, Lot 4 and 4.01), to preserve as open space; and

WHEREAS, on April 5, 2019, the Township solicited and posted a request for proposals notice and on May 8, 2019, received three (3) proposals for Professional Services to Prepare Preliminary Assessment Reports (PAR) related to Green Acres Funded Property Acquisitions; and

WHEREAS, the overall lowest most responsive proposal for 949 Windsor Perrineville Road (Block 31, Lot 21) was received from Brownfield Redevelopment Solutions, Inc.; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for "Professional Services" pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Township Council has reviewed the Assistant Township Manager's recommendation that at this time a contract be awarded for only the property located at 949 Windsor Perrineville Road (Block 31, Lot 21); and

WHEREAS, the maximum amount of the contract is \$1,800.00 and funds are available in the Account No. T-13-56-857-802, entitled Reserve for Open Space, as evidenced by the Chief Financial Officer's Certification No. T2019-016.

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 enter into the attached Agreement with Brownfield Redevelopment Solutions, Inc., 739 Stokes Road, Units A & B, Medford, NJ 08055, to prepare a preliminary assessment report for the property located at 949 Windsor Perrineville Road (Block 31, Lot 21) in an amount not to exceed \$1,800.00.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a

recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.

3. 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 contract, and that the resolution and contract 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 November 6, 2019.

Mayor Mironov stated that the Township and owners have come to an agreement and it is now ok to move forward with the preliminary assessment on the property.

It was MOVED by Shapiro, SECONDED by Zoller to approve Resolution R2019-181.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-181 was approved.

Resolution R2019-182

Award of Professional Services Agreement with Harris Surveying, Inc. for Property Survey Services for Green Acres Funded Open Space Property Acquisitions for 949 Windsor-Perrineville Road (Block 31, Lot 21)

**RESOLUTION R2019-182
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township is considering acquisition of the following properties: 641 Etra Road (Block 32, Lot 13.01), 140 Cedarville Road (Block 30, Lot 19.03), 949 Windsor Perrineville Road (Block 31, Lot 21) and 820 Windsor Perrineville Road (Block 35, Lot 4 and 4.01), to preserve as open space; and

WHEREAS, on May 30, 2019, the Township solicited proposals for Property Survey Services for Green Acres funded Property Acquisitions and received one (1) proposal with a receipt date of July 9, 2019; and

WHEREAS, the cost proposal received for 949 Windsor Perrineville Road (Block 31, Lot 21) from Johnson, Mirmirim & Thompson, Inc. was the only proposal received and was not cost effective for the Township; and

WHEREAS, on July 22, 2019, the Township re-solicited proposals for Property Survey Services for Green Acres funded Property Acquisitions and received eight (8) proposals with a receipt date of September 4, 2019; and

WHEREAS, the overall lowest most responsive proposal was received from Harris Surveying, Inc. for the property located at 949 Windsor Perrineville Road (Block 31, Lot 21); and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for "Professional Services" pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Township Council has reviewed the Assistant Township Manager's recommendation that at this time a contract be awarded for only the property located at 949 Windsor Perrineville Road (Block 31, Lot 21); and

WHEREAS, the maximum amount of the contract is \$4,600.00 and funds are available in the Account No. T-13-56-857-802, entitled "Reserve for Open Space," as evidenced by the Chief Financial Officer's Certification No. T2019-017.

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 Mayor and Municipal Clerk are hereby authorized and directed to enter into the attached Agreement with Harris Surveying, Inc., 26 Main Street, Robbinsville, NJ 08691 to prepare a property survey for the property located at 949 Windsor Perrineville Road (Block 31, Lot 21), in an amount not to exceed \$4,600.00.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for services performed by persons authorized by law to practice a recognized profession that is regulated by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5 et seq.
3. 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 contract, and that the resolution and contract 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 November 6, 2019.

Mayor Mironov stated that the Township and owners have come to an agreement and it is now ok to move forward with the preliminary assessment on the property. Mayor Mironov requested

that the Ordinance is listed on the next regularly scheduled agenda. She further stated she would like the address added to the first and last paragraphs.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-182 with the revisions.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-182 was approved with the revisions.

4. Police/Court Building New Roof, Two Year Maintenance Guarantee: Status and Actions Report by Township Manager

Mayor Mironov stated she would like a follow-up on what has occurred and what are the next steps. She also wants to know what the guarantee will be once the project is completed.

5. Public Works Township Garbage Collection Trucks: Update Report by Township Manager

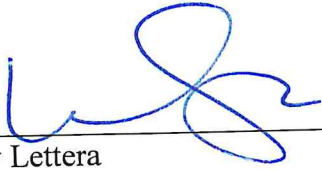
Mayor Mironov questioned what garbage trucks are in and out of service and what needs to be done to get them back and operating. The Township Manager stated all garbage trucks are repaired and are back on the road.

MATTERS BY PUBLIC:

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:51 p.m.

Next Meeting: Wednesday, November 26, 2019.



Kelly Lettera
Municipal Clerk



Janice S. Mironov
Mayor