

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, December 17, 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 7:30 p.m. on Tuesday, December 17, 2019.

#### **VERIFICATION:**

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on December 13, 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 Township Manager Richard Brand.

#### **ROLL CALL:**

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

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

#### **INTERVIEWS FOR BOARDS AND COMMISSIONS:**

John Vincent was interviewed and is interested in volunteering for the Economic Development Committee or Commission on Aging.

#### **PUBLIC FORUM:**

No one spoke from the public.

#### **MINUTES:**

March 19, 2019

It was MOVED by Rosenberg, SECONDED by Daniels to approve the March 19, 2019 minutes.

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

Nays – None

Abstain -- Yeager

There being six (6) ayes, no (0) nays and one (1) abstention, the March 19, 2019 minutes were approved.

September 10, 2019

It was MOVED by Zoller, SECONDED by Yeager to approve the September 10, 2019 minutes.

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

There being seven (7) ayes, and no (0) nays, the September 10, 2019 minutes were approved.

July 23, 2019

Mayor Mironov stated the July 23, 2019 minutes were held at the September 10, 2019 Council meeting with revisions.

October 15, 2019

October 29, 2019

November 6, 2019

November 26, 2019

The remaining minutes were rescheduled to the next regularly scheduled meeting.

#### **ORDINANCE – PUBLIC HEARING:**

**ORDINANCE 2019-08**      An Ordinance to Authorize Acquisition for Open Space of an Approximately 8.2 Acre Site, Located At 949 Windsor-Perrineville Road, and Designated on the East Windsor Township Tax Map As Block 31, Lot 21

**TOWNSHIP OF EAST WINDSOR  
COUNTY OF MERCER  
ORDINANCE NO. 2019-08**

**AN ORDINANCE TO AUTHORIZE ACQUISITION FOR OPEN SPACE OF AN  
APPROXIMATELY 15.7 ACRE SITE, LOCATED AT 949 WINDSOR  
PERRINEVILLE ROAD, AND DESIGNATED ON THE EAST WINDSOR  
TOWNSHIP TAX MAP AS BLOCK 31, LOT 21**

**WHEREAS**, the Township Council of the Township of East Windsor has determined that it is in the best interests of the Township to acquire an approximately 15.7 acre parcel of land located at 949 Windsor Perrineville Road, and designated on the East Windsor Township Tax Map as Block 31, Lot 21 (the "Property"), for use as open space; and

**WHEREAS**, the Property is presently owned by Ronald J. Riggenbach and Judy C. Riggenbach (the “Owners”), residing at 86 Coffey Hill Road, Ware, Massachusetts 01082; and

**WHEREAS**, an Agreement of Sale, between East Windsor Township and the Owners, has been negotiated with a purchase price of \$225,000.00 for the Property; and

**WHEREAS**, the Township has been awarded New Jersey Green Acres Program grants and Mercer County Open Space grants to fund the purchase of the 15.7 acre Property.

**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**

The Mayor, Municipal Clerk, Township Manager, Township Engineer and Township Attorney be and are hereby authorized to take all necessary actions to acquire an approximately 15.7 acre parcel of land located at 949 Windsor Perrineville Road, and designated on the East Windsor Township Tax Map as Block 31, Lot 21, for use as open space, pursuant to the Agreement of Sale between the Owners and the Township of East Windsor. This authorization includes, but is not limited to, the execution of an Agreement of Sale with a purchase price of \$225,000.00, payment of the contract purchase price, and the acceptance and recording of a Deed to the Property.

## **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 20 days after final passage and publication according to law.

Mayor Mironov stated the Ordinance was introduced at the November 26 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2019-08. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Lippman, SECONDED by Yeager to adopt Ordinance 2019-08 and authorize publication as required by law.

Mr. Zoller stated he has an issue with the Ordinance. He stated the Ordinance's title as listed on the meeting agenda indicates that the property is 8.2 acres, but his copy of the Ordinance indicates the property is 15.7 acres. Mayor Mironov stated the Ordinance is the same Ordinance as introduced on November 26 but with the correction of a comma. She stated the document is correct and the property is 15.7 acres. The agenda has a typographical error but the Ordinance is correct and is the same document that was introduced on November 26.

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

There being seven (7) ayes, and no (0) nays, Ordinance 2019-08 was adopted and publication authorized as required by law.

#### **ORDINANCE – INTRODUCTION:**

#### **RESOLUTIONS:**

**Resolution R2019-156**      Action on Request for Release of Performance Guarantee by Asset Management Consultants for Riviera Offsite

#### **RESOLUTION R2019-156 EAST WINDSOR TOWNSHIP MERCER COUNTY**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Asset Management Consultants requested by letter dated June 5, 2019, a release of the cash guarantees being held by the Township for Riviera at East Windsor, Off-Site Improvements; and

**WHEREAS**, on April 15, 2003, Performance Bond #10458241 was issued by Travelers Casualty Surety Company of America, in the amount of \$94,477.32, which represented ninety percent (90%) of the entire performance guarantee amount. In addition, a cash guarantee was posted in the amount of \$10,497.48, which represented ten percent (10%) of the entire performance guarantee amount; and

**WHEREAS**, on June 15, 2004, by Resolution R2004-132, the Township Council reduced Performance Bond No. 104058241 issued by Travelers Casualty Surety Company of America from \$94,477.32 to \$28,343.20 and the cash guarantee from \$5,114.94 to \$1,534.48; and

**WHEREAS**, by Resolution R2004-132, T & M Associates incorrectly recommended the cash guarantee release of \$10,497.48 to \$5,114.94 causing the Township to retain an additional \$5,382.54 of the original cash guarantee amount; and

**WHEREAS**, on April 10, 2010, by Resolution R2010-13, the Township Council approved the applicant's request to release Performance Bond #10458241 in the amount of \$28,348.20 and the Cash Guarantee in the amount of \$1,534.48 contingent to the posting a Maintenance Bond in the amount of \$15,746.22 and escrow in the amount of \$1,000.00 for Maintenance Bond Release. The applicant never posted the Maintenance Bond and inspection escrow. Performance Bond # 104058241 in the amount of \$28,343.20 and Cash Guarantee in the amount of \$1,534.48 continued to be retained by the Township; and

**WHEREAS**, on May 7, 2013, by Resolution R2013-72, the Township Council denied the applicant's request to release Performance Bond#10405241 in the amount of \$28,348.20 and the Cash Guarantee in the mount of \$1,534.48. In the time elapsed between April 6, 2010 and May 7, 2013, several repairs had been made to One Mile Road. The Township continued to retain thirty percent (30%) of the original performance Guarantee posted in the Municipal Land Use Law; and

**WHEREAS**, on December 23, 2014, by Resolution R2014-110, the Township Council approved the applicant's request to release Performance Bond#10405241 in the amount of \$28,348.20 and the Cash Guarantee in the mount of \$1,534.48; and

**WHEREAS**, due to the T & M incorrectly recommending the release of cash guarantee in 2014, \$5,382.54 is still being retained by the Township; and

**WHEREAS**, the Township Council has reviewed the report and recommendation of the Township Engineer.

**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 Township Council approves the request made by Asset Management Consultants for release of the cash guarantee in the amount of \$5,382.54.
2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of the Township Engineer's report to Asset Management Consultants.

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 December 17, 2019.

Mayor Mironov stated this Resolution was held at the October 15 Council meeting with a question as to why there was an inconsistency in the amount that was to be released. She stated that a memo from the Clerk's Office was received on this matter explaining the internal

processes for releases. She stated this error predates the current Finance Director and Clerk and they have confidence that under the current systems everything is being handled well. Mayor Mironov stated that Council had initiated the current system and release checklist regarding payments and other conditions generated by Council to ensure that all conditions were being met by developers. She stated that she feels prepared to move ahead on this matter.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2019-156.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-156 was approved.

**Resolution R2019-185** Authorizing Purchase of Two Replacement Lawn Mowers from Turf Equipment and Supply Company for Department of Public Works

**RESOLUTION R2019-185**

**EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there is a need to purchase two (2) replacement lawn mowers for the Public Works Department; and

**WHEREAS**, three (3) written quotes were obtained to provide this equipment; and

**WHEREAS**, East Windsor Township is a member of the Educational Services Commission of New Jersey (E.S.C.N.J.) Cooperative Pricing System and, in accordance with N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11, the Township can purchase goods and services through an approved cooperative pricing system recognized by the State of New Jersey without public bidding when the vendor is an approved state contractor or part of an approved cooperative; and

**WHEREAS**, the Educational Services Commission of New Jersey (E.S.C.N.J.) publically bid and awarded contract “Grounds Equipment Bid #ESCNJ 18/19-25” to Turf Equipment and Supply Company for Ground Maintenance Equipment; and

**WHEREAS**, Turf Equipment and Supply Company is the lowest and only local vendor authorized to sell Toro Groundsmaster lawn mowing equipment, which includes one (1) Toro Groundsmaster 5910, model 31699 large swath mower and one (1) Toro Groundsmaster 3280-D six foot cut lawn mower, through the “Grounds Equipment Bid #ESCNJ 18/19-25” contract; and

**WHEREAS**, this equipment can and will be purchased through the Educational Services Commission of New Jersey (E.S.C.N.J.) contract, "Grounds Equipment Bid #ESCNJ 18/19-25," which is valid through February 21, 2021; and

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

**WHEREAS**, the maximum amount of the purchase is \$141,878.73 and funds are available in the Capital Fund Account No. C-04-55-980-923-620 entitled Ordinance 2019-01 "DPW Lawn Mower Acquisition", as evidenced by the Chief Financial Officer's Certification No. C2019-020.

**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 Turf Equipment and Supply Company, 16 Hagerty Blvd, West Chester, Pa., for the purchase of one (1) Toro Groundsmaster 5910, model 31699 large swath mower in the amount of \$115,882.75, and for the purchase of one (1) Toro Groundsmaster 3280-D six foot cut lawn mower in the amount of \$25,995.98, for a total amount not to exceed \$141,878.73 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 December 17, 2019.

Mayor Mironov stated the Resolution was held at the last Council meeting pending a detailed memo from Public Works. She stated that a memo from the Director of Public Works dated November 27 was received providing additional information and quotes.

Mayor Mironov stated she had a few comments on the Resolution. She stated the first paragraph should be revised to read *there is a need to purchase two (2) replacement lawn mowers for the Public Works Department*. She stated a paragraph should be added between the first and second paragraphs indicating that three quotes were obtained, although she does conceded that information was not available when the resolution was drafted. She also requested a paragraph be added indicating that bidding is not required. A paragraph should also be added indicating that this equipment can and will be purchased through the Educational Services Commission of New Jersey (E.S.C.N.J.) contract.

[NOTE: The changes requested are reflected in the above Resolution.]

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2019-185 with the revisions.

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

Nays – None

There being seven (7) ayes, and no (0) nays, Resolution R2019-185 was approved with the revisions.

**Resolution R2019-191**      Authorizing Purchase of Replacement Playground Equipment for Tot Lot at Wiltshire Park from MCR for Department of Public Works

Mayor Mironov stated Council received a recommendation memo, dated November 12, from the Director of Public Works. She stated she reached out to the Director prior to the meeting with two questions. She stated that the memo indicates that shipping is \$1,500 but that does not match the quote. The Director indicated that was an estimate, but she stated estimates are not usable. Mayor Mironov confirmed the shipping amount in the quote and the Resolution is correct. She stated the more significant question was that she did not fully understand what equipment is being replaced and why the rock wall is the only viable option as a replacement for the dragon. She asked the Director to provide colorized pictures to share with Council, but she was not provided pictures of the existing playground equipment, only of the proposed replacement equipment. Mayor Mironov shared the photos with Council members. Mayor Mironov stated she is not persuaded at the moment that this is the best solution, as the Public Works Director indicated that the rock wall is the only option that would fit but he did not provide any other options. She asked if there were more options for replacement equipment they could consider. She stated she would not support this matter at this time.

Mr. Yeager stated he understands the slide replacement, but he agreed with Mayor Mironov and does not understand the other equipment replacement options. Mayor Mironov stated the dragon itself had been discontinued and while there may be some truth to the fact that a rock wall is the only option that will fit as a replacement, further information is requested. Mr. Lippman agreed, stating that he did not believe there is only one option available as a replacement. He stated that the presentation provided by the Director of Public Works leaves a lot to be desired. Mayor Mironov agreed and added that the replacement rock wall did not look well. Mr. Lippman stated that because this is not an urgent matter, he would suggest going back to the Director and request additional information including the footprint of what currently exists, how it is being replaced, what exactly is being replaced, and is there room for additional equipment to be added. Mr. Lippman stated that there is a lot of flexibility as to what can be done with a playground and Council enjoys taking time and care with these matters. Mayor Mironov indicated that Council wants to be economical but if they contemplated replacing more equipment that may provide more options in terms of the replacement equipment. Mayor Mironov requested more information on that topic as well. Mr. Yeager stated if the equipment is being shipped from Spring Lake, he would like to know if it would be an option to pick up the equipment rather than pay for shipping.

The Township Council agreed to hold the Resolution until the next Council meeting pending additional information from the Director of Public Works.



**Resolution R2019-192**      Authorizing Purchase of Replacement BE Electric Hot Water Pressure Washer from Middlesex Industrial Sales for Department of Public Works

**RESOLUTION R2019-192  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there is a need to purchase a replacement portable power washer for the Public Works Department; and

**WHEREAS**, three (3) written quotes were obtained to provide this equipment; and

**WHEREAS**, the lowest cost proposal was submitted by Middlesex Industrial Sales, 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 Director of Public Works recommendation on this purchase; and

**WHEREAS**, the maximum amount of the purchase is \$3,035.00 and funds are available in the Capital Fund Account No. C-04-55-970-915-653 entitled Ordinance 2014-08 entitled "DPW Acquisition of Portable Tools" as evidenced by the Chief Financial Officer's Certification No. C2019-023.

**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 Middlesex Industrial Sales, Inc., 522 New Brunswick Avenue, Fords, NJ 08863, for the purchase of a replacement portable power washer in the amount of \$2,850.00 plus \$185.00 for the cost of shipping, for a total amount not to exceed \$3,035.00, 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 December 17, 2019.

Mayor Mironov requested the cost of the power washer and the shipping costs be broken down separately in the second to last paragraph.

[NOTE: The change requested is reflected in the above Resolution.]

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2019-192 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-192 was approved with the revisions.

**Resolution R2019-193** Authorizing Repair and Replacement of a Section of the Roof Drain System for the Police/Court Building with SG Heating and Air Conditioning LLC

**RESOLUTION R2019-193  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there is a need for installation and repairs to the Roof Drain Pipe for the Police/Court Building; and

**WHEREAS**, three (3) quotes were obtained to provide this service; 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 Director of Public Works recommendation on the needed repairs; and

**WHEREAS**, the maximum amount for the installation and repairs to the Police Station Roof Drain Pipe for the Police/Court Building is \$3,500.00 and funds are available in Capital Fund Account No. C-04-55-937-419-402 entitled Ordinance 2004-19 “Police Building Renovations”, as evidenced by the Chief Financial Officer’s Certification No. C2019-024.

**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 Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to SG Heating & Air Conditioning LLC, 50 Cunningham Avenue, Hamilton, NJ 08610, for the installation and repairs to the Roof Drain Pipe for the Police/Court Building, in an amount not to exceed \$3,500.00, 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 December 17, 2019.

Mayor Mironov requested that the words *police station* be replaced with *Police/Court Building* in both the first and last paragraphs of the Resolution.

[NOTE: The change requested is reflected in the above Resolution.]

Mayor Mironov stated Council received a recommendation on this from the Director of Public Works explaining the various quotes and the nature of the work.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2019-193 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-193 was approved with the revisions.

**Resolution R2019-194**      Approval of Agreement for Animal Care and Sheltering Services  
with SAVE, A Friend to Homeless Animals

**RESOLUTION R2019-194**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, there is a need for Animal Care and Sheltering Services for the Township Animal Control Unit; and

**WHEREAS**, pursuant to N.J.S.A. 4:19-15.16, East Windsor's Animal Control Officer authorizes the handling and suitable shelter of stray animals within the Township; and

**WHEREAS**, "SAVE, A Friend to Homeless Animals" (SAVE), a non-profit corporation of the State of New Jersey will provide 24/7 animal care, shelter and adoption services for stray animals on a per-animal daily fee of \$25.00; and

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

**WHEREAS**, the maximum amount of the contract is \$10,000 per year and funds will be available in the Dog License Trust Account No. D-12-56-852-852 entitled "Dog Fund Expenses," as evidenced by the Chief Financial Officer's Certification No. T2019-019.

**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 is hereby authorized and directed to execute the attached three (3) year agreement, commencing January 1, 2020 through December 31, 2022, with "SAVE, A Friend to Homeless Animals", 1010 Route 601, Skillman, NJ 08558, to provide 24/7 animal care, shelter and adoption services for stray animals on a per-animal daily fee of \$25.00, in an amount not to exceed \$10,000 per year.

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 December 17, 2019.

Mayor Mironov stated Council received a recommendation on this matter from the Chief of Police. The Resolution is for a three year agreement.

Mayor Mironov stated paragraph five indicates the maximum amount of the contract is \$10,000 in any given year. She requested the language be clarified to reflect that. Mayor Mironov stated the Township has three animal control officer shared service agreements with other municipalities and asked if the Township was paying for the entire cost of the contract with SAVE or if the Township was getting reimbursed through the existing shared services agreements. Mr. Lippman also asked if the Township gets reimbursed sheltering costs if an animal's owner comes in and claims them. Mayor Mironov asked Mr. Brand to look into both questions and provide answers to Council.

[NOTE: The change requested is reflected in the above Resolution.]

It was MOVED by Daniels, SECONDED by Shapiro to approve Resolution R2019-194 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-194 was approved with the revisions.

**Resolution R2019-195**      Action on Award of Contract for Appraisal Services for the Green Acres Funded Property located at 104 Disbrow Hill Road (Block 32, Lot 5)

**RESOLUTION R2019-195  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, East Windsor Township is considering acquisition of approximately 3.6 acres of land at 104 Disbrow Hill Road, (Block 32, Lot 5) to preserve as open space; and

**WHEREAS**, the Township solicited proposals on November 12, 2019 and received three (3) proposals for appraisal services for Block 32, Lot 5 by the receipt date of November 27, 2019; and

**WHEREAS**, the cost proposal received from Martin Appraisal Associates, Inc. was most responsive based on the expertise, knowledge and history of appraisal services previously provided to East Windsor Township; and

**WHEREAS**, a contract for this purchase may be awarded without public advertising for bids, pursuant to N.J.S.A. 40A:11-3, as the purchase does not exceed \$17,500 in the aggregate for the contract year, and as the purchase is for "Professional Services" which are further excluded from the requirements of the public advertising for bids, 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 Township Assistant Manager's recommendation; and

**WHEREAS**, the maximum amount of the contract is \$1,900.00 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. T2019-020.

**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 Martin Appraisal Associates, Inc., 3525 Quakerbridge Road, Suite 5200, Hamilton, NJ 08619 to prepare an appraisal report for the property located at 104 Disbrow Hill Road, (Block 32, Lot 5), in an amount not to exceed \$1,900.00.
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 December 17, 2019.

Mayor Mironov stated she is waiting to get information on the status regarding this Resolution from Assistant Township Manager Jay Delaney. Mayor Mironov stated once she gets the information a final notice to proceed needs to be done. Mayor Mironov stated the Resolution can be approved tonight but on the condition that the Resolution is not sent out until Council authorizes the work to be done.

It was MOVED by Yeager, SECONDED by Zoller to approve Resolution R2019-195 subject to final notice to proceed.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-195 was approved subject to final notice to proceed.

**Resolution R2019-196**      Action on Award of Bid for Lease of Farmland for One Mile Road  
(Block 6.06, Lot 2) to Integrity AG LLC

**RESOLUTION R2019-196  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, by Resolution R2019-170, adopted on October 29, 2019, the Mayor and Township Council authorized bidding for the lease for farming of Township-owned land located on One Mile Road, specifically approximately 18 farmable acres of the 23.912 acre property designated as Block 6.06, Lot 2; and

**WHEREAS**, one (1) bid was received by the Municipal Clerk's Office on December 3, 2019 for the lease for farming of Township-owned land on One Mile Road, specifically approximately 18 farmable acres of the 23.912 acre property designated as Block 6.06, Lot 2; and

**WHEREAS**, the bid submitted was by Integrity Ag, LLC for \$1.00 per acre per year for an initial lease term of five (5) years, commencing January 1, 2020, with an option to renew for an additional five (5) year period; and

**WHEREAS**, the Township Council has reviewed the recommendations made by the Assistant Township Manager on this bid.

**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 lease for farming of Township-owned land located on One Mile Road, specifically approximately 18 farmable acres of the 23.912 acre property designated

as Block 6.06, Lot 2, is hereby awarded to Integrity Ag, LLC, 222 Chamberlin Ave, Hightstown, NJ 08520, on their bid of \$1.00 per acre per year for an initial lease term of five (5) years, commencing January 1, 2020, with an option to renew for an additional five (5) year period.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached lease.
3. The Municipal Clerk is hereby authorized and directed to forward a copy of the Resolution to the successful bidder.

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 December 17, 2019.

Mayor Mironov stated one bid was received along with a recommendation from the Assistant Township Manager. Mayor Mironov stated that after reviewing the materials, she noted that the property is 23.912 acres with approximately 18 farmable acres, and that the Resolution and lease should be structured to include those specific numbers throughout the documents.

Mayor Mironov asked that *East Windsor* be eliminated from the second paragraph. She asked that the first paragraph under *Now, therefore* also be reconciled to the exact acreage of the property and the farmable acreage. She also asked that the second paragraph in that section end after *the attached lease*.

[NOTE: The changes requested are reflected in the above Resolution.]

Mayor Mironov stated the minimum bid was one dollar per acre per year, so while this is not a revenue generator for the Township, it ensures the property is maintained and generates farming in the area. Mr. Zoller asked if the farmer is obligated to farm the land once awarded. Mayor Mironov asked Mr. Orron to address the question. Mr. Orron stated on page two, paragraph three states that the purpose of the lease is to allow the farming of the property. He stated if the farmer did not farm the land, the Township would take the position that they are not doing what was intended and would be violating the lease, providing grounds for termination. Mayor Mironov stated the Township always reserves the right under all of their farmland leases to take the property back at any time with the condition that if the land has been planted, the Township would compensate for what has been planted.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-196 with revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-196 was approved with the revisions.

**Resolution R2019-197**      Approving Settlement Agreement between East Windsor  
Township and Delores Rosko

**RESOLUTION R2019-197**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, by Ordinance 2016-3, adopted on February 3, 2016, the Township authorized the acquisition of property designated as Block 46, Lot 1 and a portion of Block 46, Lot 2 on the official tax map of the Township of East Windsor, together with a right of way and temporary construction easement through the property designated as Block 46, Lot 2 (together, “the Property”), in connection with the Route 130 Hankins Road - Conover Road Realignment Project; and

**WHEREAS**, on September 9, 2016, the Township filed a Verified Complaint in Eminent Domain in the Superior Court of New Jersey, Law Division, Mercer County titled Township of East Windsor v. Dolores R. Rosko, et al, Docket No. MER-L-1802-16, in order to acquire the Property; and

**WHEREAS**, on October 18, 2017 the Township recorded a Declaration of Taking in the Mercer County Clerk’s Office and deposited into Superior Court the Township’s estimated value of the Property, in the amount of \$203,000.00; and

**WHEREAS**, on February 22, 2019 the court-appointed Condemnation Commissioners issued their report, assessing the value of the Property at \$394,000.00; and

**WHEREAS**, following the report issued by the Condemnation Commissioners, Dolores R. Rosko filed an appeal for a trial de novo in the Superior Court; and

**WHEREAS**, the Township and Dolores R. Rosko have agreed to terms of settlement for the value of the Property in the amount of \$440,000.00, as set forth in the attached Settlement Agreement and Mutual Release; and

**WHEREAS**, after deduction of the sum of \$203,000.00 previously deposited into the Superior Court by the Township, the balance payable under the Settlement Agreement and Mutual Release is \$237,000.00; and

**WHEREAS**, the maximum amount of the settlement agreement is \$440,000.00 and funds are available in the Transportation Improvement Trust Account No. V-20-56-852-856 entitled “Reserve for Transportation Improvements”, in the amount of \$237,000.00, as evidenced by the Chief Financial Officer’s Certification No. T2019-018; and

**WHEREAS**, the terms of settlement include, among other things, the execution and filing of a Stipulation of Dismissal of the litigation, with prejudice; and



**WHEREAS**, the Township Council finds that the settlement under the terms set forth in the Settlement Agreement and Mutual Release is in the best interest of the Township.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Settlement Agreement and Mutual Release between the Township and Dolores R. Rosko in the matter titled, Township of East Windsor v. Dolores R. Rosko, et al, Docket No. MER-L-1802-16.
2. The Township's special counsel, M. James Maley, Jr., is authorized and directed to execute the attached Stipulation of Dismissal.
3. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to "Stark & Stark, Attorneys for Dolores R. Roskos" and mailed to Stark & Stark, Attn: Timothy P. Duggan, Esq., P.O. Box 5315, Princeton, NJ 08543, in an amount not to exceed \$237,000.00.

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 December 17, 2019.

Mayor Mironov indicated this was as discussed previously. She stated the last page of the document should be discarded. She stated this is in accordance with Council's understanding of the matter. Mr. Orron suggested a minor edit, stating that in the second to last recital, on the first page, the wording should not read *maximum amount*, as it is a fixed amount. He also recommended the same language change in the Resolution in the last paragraph. Mayor Mironov stated that is standard language the Township uses when awarding anything and while Mr. Orron is not incorrect, this is the format the Township uses.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2019-197 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-197 was approved with the revisions.

Resolution R2019-198 and Resolution R2019-199 were voted on in block form.

**Resolution R2019-198** Chapter 159 – Amending the 2019 Municipal Operating Budget  
Providing an Item of Revenue and Appropriation for the 2019  
Drive Sober or Get Pulled Over Year End Holiday Crackdown

**RESOLUTION R2019-198**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount; and

**WHEREAS**, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2019 in the sum of \$5,500.00, which item is now available as revenue from the Drive Sober or Get Pulled Over Year End Holiday Crackdown grant.
2. A like sum of \$5,500.00 is hereby appropriated under the caption of Drive Sober or Get Pulled Over.

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 December 17, 2019.

**Resolution R2019-199**      Chapter 159 – Amending the 2019 Municipal Operating Budget  
Providing an Item of Revenue and Appropriation for the 2019  
Body Armor Grant

**RESOLUTION R2019-199**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount; and

**WHEREAS**, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2019 in the sum of \$4,193.12, which item is now available as revenue from 2019 Body Armor Grant.
2. A like sum of \$4,193.12 is hereby appropriated under the caption of 2019 Body Armor Grant.

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 December 17, 2019.

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2019-198 and Resolution R2019-199.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-198 and Resolution R2019-199 were approved.

**Resolution R2019-200**      Authorizing Refund of Tax Overpayments

**RESOLUTION R2019-200  
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 2019 Refund of Taxes List Number 5 dated November 26, 2019.

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 December 17, 2019.

Mayor Mironov asked the Finance Director Laurie Finger for clarification as to if the state pays these amounts and they do not come out of the Township's tax collections. Ms. Finger stated that is correct, the amounts are paid by the state.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-200.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-200 was approved.

**Resolution R2019-201** Authorizing Cancellation of Small Tax Balances

**RESOLUTION R2019-201**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, the East Windsor Tax Collector has certified that small balances exist on various properties; and

**WHEREAS**, these balances should be cancelled.

**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 Tax Collector is hereby authorized and directed to cancel balances as detailed on the attached Tax Collector's list, dated November 26, 2019, to Cancel Small Balances pursuant to N.J.S.A. 40A:5-17.

I hereby certify the foregoing to be a true copy of a Resolution adopted the East Windsor Township Council at a meeting held on December 17, 2019.

Mayor Mironov stated a request on this matter was received from the Tax Collector.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-201.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-201 was approved.

**Resolution R2019-202** Approval of East Windsor Township funding Plan to Mercer County for Grant Funding for FY21 (July 1, 2020-June 30, 2021)

East Windsor Municipal Alliance for the Prevention of Substance Abuse

**RESOLUTION R2019-202**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, East Windsor Township Council recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages, and therefore has established a Municipal Alliance Committee; and

**WHEREAS**, the Township of East Windsor desires to receive a grant from the County of Mercer for the East Windsor Municipal Alliance for the Prevention of Substance Abuse; and

**WHEREAS**, East Windsor Township has been approved for a Municipal Alliance Grant for the July 1, 2020 through June 30, 2021 grant term; and

**WHEREAS**, funding has been made available to East Windsor Municipal Alliance in the amount of \$42,174.00 for the period of July 1, 2020 to June 30, 2021, contingent upon meeting the 25% Cash Match amount of \$10,543.50 and the 75% In-Kind Match amount of \$31,630.50, which is a grant requirement for the funding.

**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 and directed to execute and file a grant application on behalf of East Windsor Township to Mercer County for the East Windsor Municipal Alliance for the Prevention of Substance Abuse, in the amount of \$42,174.00, for the grant term of July 1, 2020 through June 30, 2021.

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 December 17, 2019.

Mayor Mironov stated this Resolution was listed again because she would like to take action on the matter, but Mr. Yeager is currently working on the proposal with her consultation and it has not been completed yet. She asked that if the Resolution is approved tonight, it be done on subject to the concurrence of herself and Mr. Yeager of the proposal to be attached. Mr. Yeager

agreed with Mayor Mironov. Mayor Mironov stated the amount of the grant provides more opportunities for the Township.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-202 with conditions not to send out until the documents are completed and attached.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-202 was approved with the conditions.

**Resolution R2019-203**      Approval of Professional Services Agreement for Planning Services with Edward Snieckus of Burgis Associates, Inc.

**RESOLUTION R2019-203  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for the services of a Planning Consultant, for the term of January 1, 2020 through December 31, 2020, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

**WHEREAS**, the Township solicited proposals on October 21, 2019 and received one (1) proposal for Planning Consultant by the receipt date of November 21, 2019; and

**WHEREAS**, the only proposal was received from Burgis Associates, 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-20.5, et seq.; and

**WHEREAS**, funds are available in various Escrow Accounts and various Trust Accounts.

**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 Agreement with Burgis Associates, Inc. 25 Westwood Avenue, Westwood, NJ 07675, for a term of January 1, 2020 to December 31, 2020.

2. This Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by person(s) 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 December 17, 2019.

Mayor Mironov stated Edward Snieckus of Burgis Associates has been serving as the Township Planner for a couple of years now and the Township has been satisfied with their services.

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2019-203.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-203 was approved.

**Resolution R2019-204**      Approval of Professional Services Agreement for Landscape Architect Services with Daniel Dobromilsky of Daniel Dobromilsky & Associates

**RESOLUTION R2019-204  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for the services of a Landscape Architect, for the term of January 1, 2020 through December 31, 2020, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

**WHEREAS**, the Township solicited proposals on October 7, 2019 and received one (1) proposal for Landscape Architect by the receipt date of November 7, 2019; and

**WHEREAS**, the only proposal was received from Daniel Dobromilsky & Associates; 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**, funds are available in various Escrow Accounts and various Trust Accounts.

**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 Agreement with Daniel Dobromilsky & Associates, 7 Hillside Avenue, Jamesburg, New Jersey 08831 for a term of January 1, 2020 to December 31, 2020.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by person(s) 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 December 17, 2019.

Mayor Mironov stated Daniel Dobromilsky has been the Township Landscape Architect for many years and he has taken a proactive role in the Township in a positive way, as he knows the sentiments and philosophies of Mayor and Council. She stated she strongly recommends him.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2019-204.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-204 was approved.

**Resolution R2019-205**      Approval of 2019 Public Donor Agreement between Better Beginnings Day Care and East Windsor Township

**RESOLUTION R2019-205**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**



**WHEREAS**, there is a desire to provide a donation to Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc. for day care services for residents of East Windsor Township; and

**WHEREAS**, such services are to be provided by Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc. through a program supervised and administered by the New Jersey Department of Human Services; and

**WHEREAS**, the amount of the donation is \$22,750.00 and funds are available in the Current Fund Account No 9-01-27-360-360-285 entitled "Better Beginnings Contribution," as evidenced by the Chief Financial Officer's Certification No. B2019-036.

**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 is hereby authorized and directed to execute the attached Public Donor Agreement with Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc., 318 North Main Street, P.O. Box 187, Hightstown, New Jersey 08520, for a donation in the amount of \$22,750.00.

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 December 17, 2019.

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Resolution R2019-205.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-205 was approved.

**Resolution R2019-206**      Approval to Execute Agreement with Middlesex County  
Municipal Joint Insurance Fund for Workers Compensation and  
Employees Liability, General Liability Coverage, Motor Vehicle  
and Equipment Liability Coverage, Property Damage Coverage  
and Environmental Liability

**RESOLUTION R2019-206**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, the Township of East Windsor has participated as a member of the Middlesex County Municipal Joint Insurance Fund (hereinafter the "Fund") existing pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq.) and is desirous of continuing said membership with the term expiring December 31, 2022; and

**WHEREAS**, the Township Council of the Township of East Windsor has determined that continued membership in the Fund is the best interest of the Township.

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

**SECTION 1.** The Township of East Windsor hereby agrees to continue as a member of the Fund for a period of three (3) years commencing January 1, 2020 and terminating on December 31, 2022 for the purpose of securing the following types of insurance coverage:

- (a) Workers Compensation and Employers Liability
- (b) General Liability Coverage (including Public Official, Police Professional)
- (c) Motor Vehicle and Equipment Liability Coverage
- (d) Property Damage Coverage (including Building & Contents, Automobile, Physical Damage, Contractors Equipment, and Boiler and Machinery and Public Employee Blanket Bonds)

After the expiration of the said three (3) year period membership, participation may be cancelled or extended in accordance with the By-Laws of the Fund.

**SECTION 2.** For the purposes of contribution of sums into the Fund to be designated for administrative costs and claims, the Township of East Windsor hereby agrees to obtain the types of coverage from the Fund as set forth in Section 1 of this Resolution and the Indemnity and Trust Agreement to be signed by it.

**SECTION 3.** The Bylaws of the Middlesex County Municipal Joint Insurance Fund, attached hereto, are hereby adopted and accepted.

**SECTION 4.** The Governing Body is hereby authorized and directed to execute an Indemnity and Trust Agreement signifying continued membership.

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 December 17, 2019.

Mayor Mironov stated this Resolution had been carried from the last meeting and Council had now received a memorandum dated December 11 with additional information on the matter addressing the premium amount. She stated previous information indicating that there was no increase in the premium was not true, and the premium had in fact increased. She stated the memo includes a chart showing the increases in different coverages.

Mayor Mironov stated she had several questions. She asked Mr. Brand if there were any changes in the documents Council should be aware of. Mr. Brand said there was not. Mayor Mironov asked if the documents were identical to the documents reviewed by Council three

years ago and Mr. Brand stated that they were. Mayor Mironov stated she wanted it noted this is a three year agreement and a reminder should be calendared in the spring prior to the expiration so the Township can determine if there are other options to explore, such as co-ops or private insurance. She stated the Township did not have any options in this instance because the renewal was not calendared and was brought to Council's attention after the sixty day notification to cancel requirement had already lapsed. Mayor Mironov asked whether there are any other benefits or training they can provide to the Township. Mr. Brand stated they do provide training on site as long as thirty people attend, or the Township can send people to other locations to attend training sessions. Mayor Mironov asked if the Township takes advantage of training, because she did note an increase for worker's compensation. Mr. Brand stated the Township has not been taking full advantage of those benefits. Mayor Mironov stated the Township should be exploring those opportunities in regards to better training, and someone should be cataloguing incidents to see if there are ways the Township can mitigate those issues and reduce incidents. She stated sometimes attending training can also lead to discounts, so this is something the Township should take a much closer look at those opportunities. Mayor Mironov asked who is the current Township representative and Mr. Brand stated he is currently acting as the representative. Mayor Mironov stated she wants to know who the Township representative and alternate representative is and requested that information be given to Council. Mr. Zoller asked why the automobile liability premium had gone down, and asked if the Township had fewer cars to cover. Mr. Brand stated the company goes through the reinsurance market on a national basis in order to find a good price. He stated some prices have come down, but the biggest increase was in property and equipment coverage at 11.24%, due to the new fire truck the Township purchased.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2019-206.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-206 was approved.

**Resolution R2019-207**      Establishing Date, Time and Place for East Windsor Township  
2020 Reorganization Meeting

**RESOLUTION R2019-207**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, Section 2-2.2 of the Administrative Code of the Township of East Windsor directs that at the annual organization meeting the members of the Township Council will assemble at a place designated in December of each year by Resolution of the governing body and organize and elect one (1) of the members of the Council as Mayor.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that the annual reorganizational meeting for the year 2020 shall be held on Wednesday, January 1, 2020 at 2:00 p.m. at the East Windsor Township Senior Center located at 40 Lanning Boulevard, East Windsor, New Jersey.

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 December 17, 2019.

Mayor Mironov stated she had reached out to all of the Council Members last week to touch base on the date for the reorganization meeting and based on that information, this was the date and time that was chosen.

It was MOVED by Rosenberg, SECONDED by Daniels to approve Resolution R2019-207.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-207 was approved.

**Resolution R2019-208**                      Approval of Lease Agreement with Mercer County for the Nutrition Program at the East Windsor Senior Center

Mayor Mironov requested and Council agreed to hold Resolution R2019-208. She stated there is a memorandum of understanding in the lease that is not attached to the documents. The memorandum of understanding was done at the Township's request so there was a clear understanding as to the limits of the nutrition program in terms of use of space and programming prerogatives. Mayor Mironov stated the program takes place in the East Windsor Senior Center but is open to non-residents by law. She stated now that she has a copy of the memorandum, she would like the chance to revisit it, and would ask the Township Manager to look at it as well and to have a conversation with Senior Center staff to see if there are any issues that have arisen in the last couple of years with the nutrition program's use of space, programming, or any other aspect. Mayor Mironov stated she wanted to further circumscribe the memorandum in terms of their use of the Township's Senior Center as she was aware of some recent issues with participants in the nutrition program trying to utilize other programs in the Senior Center although they are not residents. She stated she thinks the nutrition program is a fine thing to do, but because she has received complaints, they should look to see if there had been any other issues and the memorandum of understanding should be circumscribed more. She asked that this be listed on a future agenda with more information.

**Resolution R2019-209**                      Authorizing Transfers Among the 2019 Budget Appropriations

**RESOLUTION R2019-209**  
**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><b>TO</b></u>	<u><b>FROM</b></u>
Tax Assessor OE	\$2,946.00	
<b>TOTAL</b>	<b>\$2,946.00</b>	
 Tax Assessor S & W		\$2,946.00
<b>TOTAL</b>		<b>\$2,946.00</b>

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 December 17, 2019.

Mayor Mironov stated a memorandum from the Finance Director was received regarding the transfer for the Tax Assessor and a memorandum from the Township Manager was received regarding the electric costs. She stated the question regarding the electric costs came up at the beginning of the year, as they have been experiencing high electric costs in both the Municipal Building and the Police/Court building. She stated the information received was helpful and she wanted to make sure everyone had reviewed the materials and if there were any questions. Mayor Mironov stated that she wanted to be clear that when Council considers the budget for next year, she is not going to budget what was spent this year in electric costs and she wanted to warn everyone that was her point of view on the matter. She stated she did not want to add the cost to the budget when the Township put in a new system to be cost effective and to have more control over the heating and cooling systems in both buildings, so it does not make sense that there is a hike in the electrical bills. She stated the memo included some good ideas to gain better control over the electrical costs that need to be instituted and monitored as she, for one, will not support increasing the budget costs to cover higher electrical costs. She stated that she has no trouble with the request for transfer regarding the Tax Assessor's office tonight, and while

she assumes Council will have to do a transfer on the electrical costs at a future meeting, she wanted to be clear as to her feelings on the matter.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-209.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-209 was approved.

**Resolution R2019-210**      Approval of Open Space Assistance Agreement with Mercer County for Acquisition of Property Located at 949 Perrineville Road, (Block 31, Lot 21)

**RESOLUTION R2019-210  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township of East Windsor has applied to Mercer County for a grant under the Mercer County Municipal and Non-Profit Assistance Program for the acquisition of approximately 15.7 acres of open space located at 949 Perrineville Road (Block 31, Lot 21); and

**WHEREAS**, the County of Mercer has approved the application submitted by the Township and has found it to be in conformance with the scope and intent of the Mercer County Open Space and Recreation Plan.

**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 and directed to execute the attached Project Agreement (File No: 1905) between the County of Mercer and Township of East Windsor for a grant in the amount of \$121,540.00 for the acquisition of approximately 15.7 acres of open space located at 949 Perrineville Road (Block 31, Lot 21)
2. 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 December 17, 2019.

Mayor Mironov stated attached to the Resolution are the first three pages of the agreement which encompasses the core of the full agreement. She stated the Resolution is boilerplate and she wanted to get this moving, as the County warned the Township it will take several weeks for the matter to be placed on the Freeholder's agenda and for the check to be provided. She stated this Resolution and agreement is for 949 Windsor Perrineville Road, which the Ordinance regarding

the property acquisition was approved tonight. Mayor Mironov stated she did not want to hold this up, so while the full agreement is not attached, she would ask for a motion and vote subject to attaching the full agreement, so anyone looking for the Resolution in the future will see the full document. She stated that this is good news, the Township negotiated a really good deal for the property and this grant award will more than cover the cost of the acquisition.

It was MOVED by Zoller, SECONDED by Yeager to approve Resolution R2019-210, subject to the full agreement being attached to the Resolution.

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

There being seven (7) ayes, and no (0) nays, Resolution R2019-210 was approved, subject to the full agreement being attached to the Resolution.

#### **APPLICATIONS:**

New Jersey Fireman's Association Membership Application for Daniel D. Swope

Mayor Mironov asked the Municipal Clerk if the application was in order, and she confirmed it was.

It was MOVED by Lippman, SECONDED by Rosenberg to approve New Jersey Fireman's Association Membership Application for Daniel D. Swope.

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

There being seven (7) ayes, and no (0) nays, New Jersey Fireman's Association Membership Application for Daniel D. Swope was approved.

Raffle License RL: 2019-007                      Hightstown Elks Lodge #1955 – July 26, 2020 at 110  
Hickory Corner Road, East Windsor, NJ – Off Premise  
Raffle

Mayor Mironov asked the Municipal Clerk if the application was in order, and she confirmed it was.

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Raffle License RL: 2019-007.

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

There being five (5) ayes, no (0) nays, and two (2) abstentions, Raffle License RL: 2019-007 was approved.

Raffle License RL: 2019-008                      Hightstown American Legion Post 148 – April 1, 2020 –  
April 1, 2021 at 110 Hickory Corner Road, East Windsor,  
NJ – Instant Raffles

Mayor Mironov asked the Municipal Clerk if the application was in order, and she confirmed it was.

It was MOVED by Daniels, SECONDED by Rosenberg to approve Raffle License RL: 2019-008.

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

There being seven (7) ayes, and no (0) nays, Raffle License RL: 2019-008 was approved.

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

Mr. Yeager stated that the Municipal Alliance for the Prevention of Substance Abuse met on December 11 and discussed the grant application they are currently working on. He added Mercer County is sponsoring a dinner on January 8, and members gave updates on what they are working on. He stated on the same day, the Recreation Commission met and discussed after school projects, winter bus trips, 2020 Summer Camp and other special events.

#### **CORRESPONDENCE:**

#### **APPOINTMENTS:**

Mayor Mironov appointed the following East Windsor Regional School District Highstown High School students to the following Boards and Committees: Akul Solanki as a student member of the Environmental Commission; Maanasi Balasubramanian as a student member of the Clean Communities Committee; Ameya Keertikar as a student member of the Environmental Commission; Hayden Bandel as a student member of the Recreation Commission; Alisha Greenstein as a student member of the Commission on Aging; Shruti Nagpal as a student member of the Health Advisory Board, and Jerry Ford IV as a student member of the Clean Communities Committee.

#### **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.



Mr. Zoller asked about the status of a bill on the 2019 Current Bill List, on page 18, the third bill listed. Mayor Mironov asked if a report had been received on that matter. Ms. Daniels stated she did not think so. Mr. Zoller stated Council had been requesting that report for three months. Mayor Mironov agreed with Mr. Zoller and asked again the report be provided.

Mayor Mironov stated on page three of the 2019 Current Bill List is an invoice for the Primary Election printing for \$12,555. She asked that the bill be held and requested to know exactly what printing the Township is paying for and what was budgeted in the prior year.

Mayor Mironov stated regarding the different agencies, she assumes that the Manager and Finance Director are on top of everything and if any item is being listed on the Council agenda that it has been reviewed in accordance with the Township's policies and Council is able to take action.

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

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

There being seven (7) ayes, and no (0) nays, the various presented Bill Lists were approved with the clarifications and holds.

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

Mayor Mironov noted receipt of the following correspondence: a report of receipts from the Tax Collector for the period ending November 30; a copy of a letter she sent to the Executive Director of the Municipal Utilities Authority regarding noticing residents on hydrant flushing as discussed at a prior Council meeting; a memorandum, dated December 11, from the Finance Director with a report on the award of sale of bond anticipation notes, which Mayor Mironov noted that with the premium the Township received, the net interest cost was 1.26925, which is really excellent and reflects the Township's good work and high rating. She added that the Finance Director was advised that the purchaser of the note wanted to get them rated, and they were rated SP-1 by Standard and Poor's, which is the highest rating. She continued that Standard and Poor's affirmed the Township's bond rating and made lots of positive comments on the financial condition of the Township and their fiscal policies, planning, and robust revenue generation.

Mayor Mironov continued and noted receipt of the following correspondence: a letter dated November 21 from NJDOT awarding the Township \$600,361 for Exeter Road and the surrounding area; a letter from RISE regarding solicitation and thanking the Township for their support; a memorandum from the Assistant Township Manager regarding the intersection improvements for Route 130 and Hankins Road and Payment #3, which was listed on tonight's

Bills List; a memorandum from the Director of Public Works dated November 23 following up on the Police/Court Building roof; a memorandum from the Director of Public Works dated November 27 addressing questions raised by Council at the last meeting, including questions on the Mercer Spring invoices, as well as an explanation to the Manager's Office regarding the electric bills. Mayor Mironov stated she wanted to remind members that when a response is provided to Council from a department, unless there is an objection and the response is satisfying to Council, the bill is free to be listed or paid. Mr. Lippman asked if the Township has a maintenance contract for the air conditioning system at the Police/Court Building, as the system is only three years old and is already in horrible shape. Mr. Brand stated that the Township does, but just for emergency maintenance, not preventative maintenance. Mr. Lippman stated that he believes Council should consider looking into that for next year's budget. Mayor Mironov asked for further feedback as to who is supposed to be overseeing the air conditioning system and what, if anything, needs to be done to make sure it is properly maintained. Mr. Lippman stated that he was sure the system was under warranty for the first year so it was being maintained at that point, meaning it went downhill over the last two years, so this really does need to be examined. Mayor Mironov asked for more details as to exactly what the issues are, how serious they are, and what the condition of the system really is, in addition to all of the other questions Council has asked.

Mayor Mironov stated a memorandum dated December 9 from the Chief of Police regarding the battery bills was also received.

Mayor Mironov stated she has not heard anything in months regarding Anker Park and the Mercer at Play grant. She stated she is unaware who is handling the project and what they are doing. She asked for an update as to when Council will get that information, including who is handling the project, and a full proposal for Anker Park, the grant match, and the use of the grant. She stated Council would like to have this done for the spring.

Mayor Mironov stated that Council members received a copy of the proposal dated December 9 from Dan Dobromilsky for the Arboretum at Etra Lake Park. She asked the matter be listed on the next Council agenda. She added that her sense from the proposal is that a meeting with Council and the Environmental Commission should be held sometime next month, minimally to discuss how the Township will move forward on this project. Mayor Mironov stated that Council will see she had a discussion with Mr. Dobromilsky and she asked him to include various options in the proposal, including a restart on the project, and she thought it was important that Council and the Environmental Commission review the proposal and the options. She stated she also asked staff to put together an interim report, which is due to Sustainable Jersey by January 31.

Mayor Mironov stated that she received notification on December 3 that the Township has been awarded a grant under the New Jersey USCF Stewardship Program for \$30,000 for the Township's tree program. She asked that the application be pulled and staff follow up on what needs to be done and how the grant should be utilized. She added that the grant could potentially be intermixed with the Arboretum project.

Mayor Mironov stated a memorandum dated December 17 from the Director of Public Works was received regarding two matters that requires Council's attention. One matter is Woods Road Park and the other is Westfield Road Park. DPW is recommending the removal of one of the three gazebos at Woods Road Park, as it is not in good condition. Mayor Mironov stated she personally supports that, as long as Council has no issues. The second matter is regarding the Public Works Director's recommendation to remove the handball wall at Westfield Road Park. Mayor Mironov stated she does not support that at this time, as she thinks there is no basis provided for that recommendation. She stated that the Director is recommending the removal of the wall rather than making a few repairs, as it is his opinion no one uses it. She stated that it is her personal opinion to not be so quick to remove it without a real basis for the removal, and the matter could always be discussed again in the future.

Mayor Mironov stated a report dated December 2 from ACT Engineers was received regarding Magnolia Ridge. She asked when Magnolia Ridge would be finished, as now it appears it will not be finished by the end of this year. Mayor Mironov asked Mr. Orron if there was anything more the Township needed to do on this. Mr. Orron stated the work on the paving was deferred until the spring. The detention basin improvements were supposed to be completed by December 16 but he had not heard from Jeff Richter at ACT Engineers. Mr. Orron stated that he will follow up to get an update on the paving and the landscaping work. Mayor Mironov stated that a lot of major work is still outstanding, and while it is obvious the paving cannot be completed at this point, the point of all of this was to get the project completed but six months have passed with major work still outstanding. Mayor Mironov asked for an update on the project and recommendations as to if there is any further action the Township needs to take.

Mayor Mironov stated emails were received by the Manager's Office in mid-October regarding the ESCNJ Energy Aggregation Programs. She had previously asked staff to look into these programs and advise Council as to what the Township needs to do.

Mayor Mironov asked for an update on The Shops at East Windsor. Mr. Brand stated a notice of violation was sent to the owner the other day with all of their violations, so they have fifteen days to comply. Mayor Mironov asked if anyone was following up on that and Mr. Brand stated he was.

Mayor Mironov stated there was another disruption on Brooktree Road by PSE&G. She wants to make sure that staff looks at that and if there is anything PSE&G needs to be required to do. She would like the matter noted and followed up on.

Mayor Mironov stated she would like to discuss at some point having an auction, as it has been about three years since the last auction. She also announced the Township will be kicking off the New Year's Food Drive on January 1, and donations will also be accepted at the Reorganization Meeting.

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

1. Route 130 Connection Bus: Proposed New Bus Stop on Lanning Boulevard

Mayor Mironov stated that she was initially contacted by New Jersey Transit on this matter, due to a letter that was received from Greater Mercer Transportation Management Association recommending the addition of a bus stop on Lanning Boulevard for the Route 130 Connection bus. She stated that she requested the item be listed on tonight's agenda to get Council thoughts on the topic and for Chief Geary to look into the matter and determine if the proposed bus stop sign location makes sense. Mayor Mironov stated if Council agrees to the bus stop signage it would require an Ordinance change. She stated adding the stop would better service East Windsor residents. She requested a memo from the Chief of Police with a recommendation regarding the bus stop and an Ordinance added on the next meeting agenda. Council agreed the bus stop is a great idea.

2. 2020 Summer Concerts and Events

Mayor Mironov stated this is the first discussion regarding the 2020 Summer Concerts and Events series, and they would have more discussions in the future. She asked that the matter be listed on tonight's agenda so everyone could weigh in with their questions and interests so they could get specific information regarding pricing and recommendations. Mr. Rosenberg suggested an Eagles tribute, as they are touring this year and there has not been an Eagles tribute in East Windsor since 2016. Mayor Mironov asked for additional information on the Eagle tribute bands. She reiterated that no decisions are being made tonight, they are just determining what acts they want to look into further. Mr. Rosenberg stated he was curious if The Bronx Wanders would be available. Mayor Mironov stated that they performed in East Windsor in 2015 and 2016 and asked for their availability. Mr. Yeager stated that they tried to get New Power Soul last year but they were booked. Mayor Mironov asked if anyone had any other groups they wanted to look at. Ms. Daniels suggested Radio Nashville to appeal to county fans. Mr. Lippman agreed. Ms. Daniels added that she noticed that a lot of past acts have been Neil Diamond tributes, so she would suggest country as something new. Mayor Mironov stated that tonight's discussion is just to get everyone's thoughts and that nothing would be debated or eliminated tonight. Ms. Daniels suggested Tusk, a Fleetwood Mac tribute band, as she saw them perform a couple of years ago and thought they were fantastic. Mayor Mironov stated that they performed in East Windsor in 2017 and asked for more information on them as well. She asked that the matter be listed on the next agenda for further discussion.

3. Dutch Neck Road/ Morrison Road Resurfacing Improvement Project: Status Report by Township Manager

Mayor Mironov stated that a memorandum from Public Works was received requesting Council authorize the payment of a road opening permit fee of \$525 in conjunction with the project, to be charged to Capital Ordinance 2017-15. She stated this would need to be listed on a future agenda but in the interest of keeping the project moving, she asked for a motion to approve the

payment for the road opening permit and to list a resolution of approval on the next Council agenda.

It was MOVED by Zoller, SECONDED by Rosenberg to approve the payment of the road opening permit fee.

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

There being seven (7) ayes, and no (0) nays, the payment of the road opening permit fee was approved.

Mayor Mironov asked that a resolution on the matter be listed on the next Council agenda for the record.

Mayor Mironov asked if this was the last item that needed to be signed off on for the project once the road opening fee is paid and the plan is provided to NJDOT. Mr. Brand stated that there are two items outstanding, one is the occupancy permit that will go to the NJDOT Operations Department, and at the same time they will be submitting the plans and specifications to NJDOT for their review. Mayor Mironov asked if the plans had not yet been approved. Mr. Brand stated that they have not been approved. Mayor Mironov stated the memo provided to Council is false. She asked if the Chief of Police had received the detour plans yet. Mr. Brand stated that he had reviewed and approved the detour plan. Mayor Mironov stated that she had not seen or heard that. Mayor Mironov stated that the Township went out to bid on the project on August 1 and the plans have still not been approved. She asked if NJDOT will have everything once the permit is filed. Mr. Brand stated that they will be sending the plans and specifications to NJDOT on Thursday. Mayor Mironov requested a copy of the transmittal and a weekly report on the project, as it has been sitting almost all year.

#### 4. Union Transportation Trail Extension Project: Status Report by Township Manager

Mayor Mironov stated that she had not received any further information over the last several weeks on this project. She asked Mr. Brand if he had any information on this. Mr. Brand stated the only information he has is that Mike Espinoza of JCP&L would be sending a letter to the Township on the project. Mayor Mironov asked who spoke to Mr. Espinoza and Mr. Brand stated that Assistant Township Manager Jay Delany spoke with him. Mayor Mironov asked when Mr. Delany spoke with him, because she has had that information for three weeks. Mr. Brand stated he believes they spoke yesterday. Mayor Mironov stated that she had that information from three weeks ago, and any information from JCP&L should be going to Hopewell Valley Engineering, so she did not understand why they were sending anything to the Township. She stated she wants a report on the project tomorrow as to what Hopewell Valley Engineering has produced in the last sixty days on this project, as her notes indicate that nothing has been received on the project since August. She stated that when the Township met with Hopewell Valley Engineering in August, their transmittal to JCP&L had been sitting for over

sixty days and they never informed the Township they transmitted it and they never followed up on the matter when they did not received a response. Mayor Mironov stated she personally made a phone call the next day to get a response from JCP&L and have them review and approval the easements. She stated the Township should have a preliminary plan and should be trying to get construction approvals at this point, they have not received any information on the Meir's Farm, and they have not had a public information session for residents on the project yet. She stated it is extremely frustrating that the project is not moving forward. She asked Mr. Brand to share her comments with Mr. Delaney.

**MATTERS BY PUBLIC:**

No one from the public spoke.

**ADJOURNMENT:**

There being no further business Mayor Mironov declared the meeting adjourned at 9:21 p.m.



