

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, February 26, 2019

7:00 p.m.

MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:09 p.m. on Tuesday, February 26, 2019.

VERIFICATION:

Deputy Municipal Clerk Allison Quigley certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on February 22, 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 former Township Manager James Brady

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

ADMINISTER OATH OF OFFICE TO:

NEW POLICE LIEUTENANT

NEW POLICE SERGEANT

NEW POLICE OFFICER

NEW POLICE OFFICER

Mayor Mironov administered the oaths of office to promoted police officers, new Police Lieutenant Eric Lion and new Police Sergeant Phillip Melhorn, and new police officers Sebastian Marin and Dylan Barlow, to fill existing openings in the police department, in front of a packed room of police, support staff, family and friends.

7:30 p.m.

Scouting Anniversary Week (February 3 – 9, 2019)

Mayor Mironov issued a Mayoral Proclamation recognizing Boy Scouting Anniversary Week, February 3 to 9, 2019. Mayor Mironov presented the Proclamation, accompanied by private checks of support, to each of the local boy scout troops: Boy Scout Troop 59 represented by Scoutmaster Steven Sharpe, Boy Scout Troop 5700 represented by Scoutmaster Kenneth Mazurek and Troop Committee Chairman Denis Kenny, Boy Scout Troop 6284 represented by

Assistant Scoutmaster Francis Guzik, Troop Committee Chairman Joel Greenberg, and Troop Committee Member Arthur Wilton, Cub Scout Pack 53 represented by Cubmaster Rob Lisk and Troop Committee Member Gayle Wilton.

Black History Month – February 2019

Mayor Mironov stated Black History Month will be rescheduled for the March 5 Council meeting.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM: No one spoke.

MINUTES:

September 25, 2018

Mayor and Council requested several revisions on pages 2, 7, 17 and 18.

It was **MOVED** by Zoller, **SECONDED** by Yeager to approve the September 25, 2018 minutes with the changes.

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

There being five (5) ayes, and no (0) nays, the September 25, 2018 minutes were approved with the changes.

January 7, 2019

Mayor and Council requested a few revisions throughout the January 7, 2019 minutes.

It was **MOVED** by Yeager, **SECONDED** by Rosenberg to approve the January 7, 2019 minutes with the changes.

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

There being five (5) ayes, and no (0) nays, the January 7, 2019 minutes were approved with the changes.

February 11, 2019 Budget Session

Mayor Mironov stated a few revisions that needs to be corrected in the February 11, 2019 Budget Session minutes.

It was MOVED by Zoller, SECONDED by Rosenberg to approve the February 11, 2019 Budget Session minutes with the changes.

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

There being five (5) ayes, and no (0) nays, the February 11, 2019 Budget Session minutes were approved with the changes.

February 12, 2019 Budget Session

It was MOVED by Zoller, SECONDED by Yeager to approve the February 12, 2019 Budget Session minutes.

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

There being five (5) ayes, and no (0) nays, the February 12, 2019 Budget Session minutes were approved.

October 9, 2018
November 7, 2018
November 20, 2018
December 4, 2018

The October 9, 2018, November 7, 2018, November 20, 2018 and December 4, 2018 minutes were held, due to several revisions, till the next regularly scheduled Council meeting.

May 8, 2018
October 23, 2018
January 15, 2019
January 29, 2019
February 12, 2019

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

ORDINANCE – PUBLIC HEARING:

Ordinance 2019-02	An Ordinance of the Township of East Windsor, New Jersey to Amend Ordinance 2017-12 to Establish Salaries and Wages for 2019 Prosecutor and Public Defender Non-Union Positions and Salaries
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**ORDINANCE NO. 2019-02
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE OF THE TOWNSHIP OF
EAST WINDSOR, NEW JERSEY TO AMEND ORDINANCE 2017-
12 TO ESTABLISH SALARIES AND WAGES FOR 2019
PROSECUTOR AND PUBLIC DEFENDER NON-UNION
POSITIONS AND SALARY**

BE IT ORDAINED AND ENACTED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Ordinance 2017-12, An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for Non-Union Employees for Fiscal Years 2016-2019, is hereby amended and supplemented as follows:

SECTION I.

Amending Ordinance 2017-12 by increasing the salary from Section 9 entitled, "Schedule of Part-Time Salaries and Wages 2019":

<u>Public Defender</u>	<u>\$29,500</u>
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SECTION II.

Amending Ordinance 2017-12 by deleting the following positions from Section 9 entitled, "Schedule of Part-Time Salaries and Wages 2019":

<u>Prosecutor</u>	<u>\$35,410</u>
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<u>Prosecutor – Per DWI and Conflict Session</u>	<u>\$182</u>
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SECTION III. SEVERABILITY

If any section, subsection 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.

SECTION IV. REPEAL

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION V. EFFECTIVE DATE

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

Mayor Mironov stated the Ordinance was introduced at the meeting of February 12 and the Public Hearing set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2019-02. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Ordinance 2019-02.

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

There being five (5) ayes, and no (0) nays, Ordinance 2019-02 was approved.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2018-169 Action on Request for Release of Performance Guarantee by NJR
Clean Energy Ventures Corporation for McGraw Hill Solar
Stormwater Basin

**RESOLUTION R2018-169
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Shari L. Davis of NJR Clean Energy Ventures Corporation, requested by letter dated July 25, 2018, a release of the performance guarantees being held by the Township for the Stormwater Management Improvements for the McGraw Hill Solar Array Facility; and

WHEREAS, the Township Engineer has inspected the site work for Stormwater Management Improvements for the McGraw Hill Solar Array Facility and filed a written report with the Township Council dated November 28, 2018, which is attached hereto and made a part of this Resolution; and

WHEREAS, the Township Manager and Director of Finance have certified that all required charges and fees have been paid and satisfied; and

WHEREAS, the Township Council has reviewed the report and recommendations 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 agrees to release Performance Bond No. 18122123-00-000 issued by PNC Bank in the amount of \$160,336.80 and

the cash guarantee of \$17,815.20, upon the posting of a two (2) year maintenance bond in the amount of \$53,445.60 and inspection escrow of \$1,500.00 for maintenance bond release, in a form acceptable to the Township Attorney.

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 Shari Davis of NJR Clean Energy Ventures Corporation.

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 February 26, 2019.

Mayor Mironov stated a recommendation, dated November 28, 2018, referenced in and incorporated in the Resolution recommending release of the performance guarantee was provided from the Township Engineer. Also, the Township Manager and Finance Director provided a memo certifying that all fees and charges have been paid.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2018-169.

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

There being five (5) ayes, and no (0) nays, Resolution R2018-169 was approved.

Resolution R2019-036 Approval of Filing of Grant Application for the Etra Lake Park Arboretum Restoration Community Innovation Project with 2019 Sustainable Jersey Grants Program

**RESOLUTION R2019-036
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, East Windsor Township strives to save tax dollars, assure clean land, air and water, and improve the working and living environment; and

WHEREAS, East Windsor Township is an active participant in the Sustainable Jersey Program and has twice received certification at the Bronze level and since has twice received Silver level Sustainable Jersey certification; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the 2019 Sustainable Jersey Grants Program funded by PSE&G; and

WHEREAS, the Township Environmental Commission has recommended the submission of a grant application for the Etra Lake Park Arboretum Restoration Community Innovation Project in the amount of \$10,000.

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 and submit an application for the Etra Lake Park Arboretum Restoration Community Innovation Project on behalf of East Windsor Township for a \$10,000 grant, under the 2019 Sustainable Jersey Grants Program funded by PSE&G.

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 February 26, 2019.

Mayor Mironov stated that the application was filed prior to the deadline.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2019-036.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-036 was approved.

Resolution R2019-037 Approval of Grant Agreement on behalf of East Windsor Township and Hightstown Borough with the County of Mercer for Mercer At Play Grant Program

RESOLUTION R2019-037
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, the Township of East Windsor desires to provide additional active recreation facilities for the community; and

WHEREAS, Mercer County created a grant funding program for active recreation called “Mercer at Play” and has allocated a second funding round; and

WHEREAS, On October 23, 2018 by Resolution R2018-170, Mayor and Council approved the joint application for the “Mercer at Play, Round 2” Program with Hightstown Borough to provide additional active recreation facilities for the residents of East Windsor Township and Hightstown Borough to expand the East Windsor Senior Center, improvements to Anker Park in East Windsor Township, and improvements to Dawes Park in Hightstown Borough; and

WHEREAS, the County of Mercer has reviewed said application and has found it to be in conformance with the scope and intent of the Mercer at Play program.

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 joint grant agreement on behalf of East Windsor Township to Mercer County for the Mercer at Play Round 2 grant program and hereby agree to perform in accordance with the terms and conditions set forth in this agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 26, 2019.

Mayor Mironov stated the application has been submitted and the grant agreement will be sent after approval of the application. She also stated a copy has been sent to Hightstown Borough for review and approval. Mayor Mironov stated once this is approved she would like to know what Township official will be in charge of overseeing the Anker Park project. She further requested that the information be provided to Mayor and Council within the next few Council meetings. Mayor Mironov stated there are two areas of the Anker Park project, one is the playground area and the other is the pond with the ducks.

It was **MOVED** by Yeager, **SECONDED** by Daniels to approve Resolution R2019-037.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-037 was approved.

Resolution R2019-038 Approving Amendments to 2019 Temporary Budget
Appropriations

RESOLUTION R2019-38
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, by Resolution R2019-08, adopted on January 7, 2019, the Township Council established a Temporary Budget for 2019; and

WHEREAS, an emergent condition has arisen with respect to municipal operating expenses until the official budget is adopted and no adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for emergency temporary appropriations for this purpose; and

WHEREAS, this appropriation increases the 2019 Temporary Budget for current fund in the amount of \$3,947,394.00 plus \$324,000.00 in garbage district No. 1

for a total of \$4,271,394.00, resulting in emergency temporary resolutions adopted in 2019, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution, totaling \$9,555,661.00.

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

1. The attached Emergency Temporary Appropriations are hereby made in the total amount of \$3,947,394.00 garbage district No. 1 appropriations in the amount of \$324,000.00, totaling \$4,271,394.00.
2. These emergency temporary appropriations have been provided for in the 2019 budget.
3. One certified copy of this Resolution shall be filed with the Director of Local Government Services.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 26, 2019.

Mayor Mironov stated a recommendation memo was provided by the Finance Director.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2019-038.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-038 was approved.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Council Member Yeager stated the Recreation Commission met on February 13 and discussed winter programs, recreation programs, special events and summer camp.

CORRESPONDENCE:

Mayor Mironov stated a few memos, all dated February 21, 2019, were provided by the Township Manager regarding the January 15 and February 12 Council meeting bill list questions. Mayor Mironov stated she still has questions on the January 15 bill list pertaining to the Wyckoff Mills Road. She stated an escrow was set up specifically for the redevelopment and she believes this bill should be charged to that account. The Township Manager agreed.

APPOINTMENTS:

APPROVAL OF BILLS:

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

Council Member Zoller questioned if Paris Automotive was providing the Township with a discount. The Township Manager confirmed they have provided the Township with a discount.

It was MOVED by Zoller, SECONDED by Rosenberg to approve the Bill Lists.

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

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

MATTERS BY COUNCIL:

Council Member Daniels stated that the Jewish Family Special Services is having a 90 minute event on mental health at the East Windsor Regional School District, Hightstown High School on Tuesday March 5, 2019 at 6:00 p.m. Mayor Mironov stated Council should block off on their calendar the March 19 Council meeting time to 8:00 p.m. She further stated the April 16 Council meeting will be changed from 7:30 p.m. to 7:00 p.m. due to the Clean Communities Poster Contest awards. She further stated she previously provided the Manager's Office with a September 6, 2018 and December 10, 2018 letters that were received from Mercer County on the Wastewater Management Plan and she requested follow-up on the information. Mayor Mironov also stated that Comcast sent a letter on November 6, 2018 regarding their franchise and the Township Attorney and Township staff need to provide Mayor and Council with information on this. She also stated the lights around the circle of the Township Building need to be attended to. Mayor Mironov stated the Senior Center Services with Hightstown Borough need to quickly be on an upcoming agenda due to the February 28, 2019 expiration. The Township Manager stated the Manager's Office is handing the information that needs to be provided and will provide an update to Mayor and Council. Mayor Mironov stated a meeting was held on November 28, 2018 in Robbinsville regarding the Route 130/Hankins/Conover Road Intersection Project and she requested that an agreement with a financial proposal to be drafted and sent to Robbinsville for approval. Mayor Mironov also requested a continuous update on the utilities and permits for the Route 130/Hankins/Conover Road Intersection Project with Robbinsville. Mayor Mironov stated the Gateway sign was knocked down at the corner of Hankins and Conover Road and it needs to be fixed. Mayor Mironov stated the Route 130/Hankins/Conover Road Intersection Project authorization needs to be done by Mazer Engineering for Phase I Construction. She also stated a RFP needs to be finalized on the property that the Township is acquiring on Windsor Center Drive. Mayor Mironov stated she was notified that PSE&G has dug up several portions of Brooktree Road for gas lines and bypassed notifying the Township after the road was recently repaved. She stated PSE&G

should be responsible for repaving the road due to lack of notification. Mayor Mironov continued stating there are several events happening within the Township such as the Sylvia Weiss Award, Clean Communities Poster Contest, Gun Lock Safety Program and Passport Day is on April 10.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2019 Summer Concerts and Events

Mayor Mironov stated the Recreation Director provided additional information on the concert series for the summer. Mayor and Council stated “Endless Summer”, “AM Gold”, “Mahoney Brothers” and “Danny V’s” were the preferred bands and they would like updated information and availability.

2. 2019 National Night Out

Mayor and Council agree to move forward with National Night Out event planning.

3. 2019 Municipal Budget Review

Mayor Mironov stated she would like to further review the 2019 Municipal Budget information provided and carry to the March 5 Council meeting if needed.

4. Open Space Acquisition Proposed Projects

Mayor Mironov stated this is an ongoing process and the Township is looking to move forward on these projects and would like an update. Township Manager Richard Brand stated him, the Assistant Manager Jay Delaney, Community Development Coordinator Robert Goodman and Tax Assessor David Levy met and came up with fourteen properties that may apply. He stated they have reached out to the property owners of which four are interested in selling their properties and the remaining owners they are waiting to hear back from. Mayor Mironov asked when the memo will be provided with the property and owner details. Township Manager Brand stated Assistant Township Manager Delaney will have the information to Mayor and Council by tomorrow. He further stated all the steps that need to occur in the process will be handled by the Manager’s Office.

MATTERS BY PUBLIC:

ADJOURNMENT:

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

Next Meeting: Tuesday, March 5, 2019 @ 7:30 p.m.

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

