

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, May 7, 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, May 7, 2019.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on May 3, 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: Clean Communities Member Douglas Greene

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

National Volunteer Week – (April 7 – 13, 2019)

Mayor Janice S. Mironov proclaimed National Volunteer Week and recognized the volunteer members of the East Windsor Township Clean Communities Advisory Committee for their service and accomplishments. Mayor Mironov thanked and presented a Mayoral Proclamation to the current members of the Clean Communities Advisory Committee: Chairperson John Donnelly; student member Aneesh Acharya; Peter Blok; William Egbert; Douglas Greene; Oscar Guerrero; student member Bhavya Kilambi; student member Abhinav Mahesh; Vandana Mathur, and student member Dayne Wolfe.

Older Americans Month – May 2019 - (May 20, 2019)

Bike Month – May 2019

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Fay Fisch was interviewed and is interested in volunteering for the Commission on Aging.

Suraj Neelamagam is a 9th grade East Windsor Regional School District High School student that was interviewed and is interested in volunteering for the Health Advisory Board.

Mayor Mironov appointed Suraj Neelamagam as a student member to the Health Advisory Board.

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

May 8, 2018
November 7, 2018
December 4, 2018
January 15, 2019
January 29, 2019
February 12, 2019
February 26, 2019

Mayor Mironov stated that Mr. Zoller had provided to her his comments on the following minutes: May 8, 2018; January 1, 2019; January 29, 2019; February 12, 2019, and February 26, 2019. She stated that she would share those comments with the Municipal Clerk and asked that the minutes be held. She indicated that November 7, 2018 minutes and December 4, 2018 minutes were held from the previous meeting.

October 23, 2018
March 5, 2019
March 19, 2019
April 2, 2019
April 16, 2019

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

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2019-040	Authorizing Purchase and Performance of Road Line Striping for Millstone Road from Zone Striping, Inc. for Department of Public Works
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Mayor Mironov stated that this Resolution was held previously, as Mayor and Council are awaiting clarification from the Director of Public Works. She requested that the Resolution be held again, as they still have not received the information as asked at the previous Council meeting.

Resolution R2019-070 Chapter 159 – Amending the 2019 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for the 2018
Body Armor Grant

**RESOLUTION R2019-070
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 \$4,503.94, which item is now available as revenue from 2018 Body Armor Grant.
2. A like sum of \$4,503.94 is hereby appropriated under the caption of 2018 Body Armor Grant.

Mayor Mironov stated that there was a memorandum on this matter from the Finance Director.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2019-079.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-070 was approved.

Resolution R2019-071 Chapter 159 – Amending the 2019 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2019 UDrive,
UText, UPay Distracted Driving Crackdown Program

**RESOLUTION R2019-071
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 2019 UDrive, UText, UPay. Distracted Driving Crackdown grant.
2. A like sum of \$5,500.00 is hereby appropriated under the caption of 2019 UDrive, UText, UPay. Distracted Driving Crackdown

Mayor Mironov stated that there was a memorandum on this matter from the Finance Director.

It was MOVED by Daniels, SECONDED by Shapiro to approve Resolution R2019-071.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-071 was approved.

Resolution R2019-072 Chapter 159 – Amending the 2019 Municipal Operating Budget
Providing an Item of Revenue for Recycling Tonnage Grant
Program

**RESOLUTION R2019-072
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 \$31,365.87, which item is now available as revenue from the 2016 Recycling Tonnage Grant Program.
2. A like sum of \$31,365.87 is hereby appropriated under the caption of 2016 Recycling Tonnage Grant Program.

Mayor Mironov stated that there was a memorandum on this matter from the Finance Director.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Resolution R2019-072.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-072 was approved.

Resolution R2019-073 Chapter 159 – Amending the 2019 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2019 Child
Safety Seat Program

**RESOLUTION R2019-073
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 \$6,000.00, which item is now available as revenue from the 2019 Child Passenger Safety Seat Program grant.
2. A like sum of \$6,000.00 is hereby appropriated under the caption of 2019 Child Passenger Safety Seat Program grant.

Mayor Mironov stated that there was a memorandum on this matter from the Finance Director.

It was MOVED by Rosenberg, SECONDED by Daniels to approve Resolution R2019-073.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-073 was approved.

Resolution R2019-074 Chapter 159 – Amending the 2019 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2019 Mercer
at Play Round 2 Grant Program

Mayor Mironov requested that Resolution R2019-074 be held pending clarification as to how the funding will be handled, specifically regarding Hightstown's portion of the funding. She asked that be looked into, as that may affect the amounts in the Resolution.

Resolution R2019-075 Approving Extension of Contract for Public Transportation
Services with Irvin Raphael, Inc.

**RESOLUTION R2019-075
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on June 7, 2016, by Resolution R2016-096, the East Windsor Township Council approved a four (4) year contract with Irvin Raphael, Inc., for an initial two (2) year term and option for two (2) one-year renewal terms, with the contract beginning July 1, 2016 for Public Transportation Services for a contract price not to exceed \$316,955.00 over four years; and

WHEREAS, on April 24, 2018, by Resolution R2018-075, the East Windsor Township Council approved a one (1) year from July 1, 2018 through June 30, 2019, in an amount not to exceed \$79,330.00; and

WHEREAS, the Township Council has reviewed the recommendation of the Township Manager; and

WHEREAS, the maximum annual amount of the contract for year four (4) is \$80,520.00 and the Chief Financial Officer has determined that sufficient funds are available in the Grant Fund Account No. G-02-40-732-950-200 entitled "2019 NJ Transit Section 5307 Bus Grant and Local Matches \$80,520.00," as evidenced by the Chief Financial Officer's Certification No. G2019-002.

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

1. The contract for Public Transportation Services is awarded to Irvin Raphael, Inc., 550 Old Stage Road, East Brunswick, New Jersey 08816, is hereby renewed for one (1) year from July 1, 2019 through June 30, 2020, in an amount not to exceed \$80,520.00.

Mayor Mironov stated that a memorandum was received from the Manager's Office on this matter.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-075.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-075 was approved.

Mayor Mironov requested that the Manager's Office and the Municipal Clerk's Office confirm that this expiration date is calendared, as the Township will have to go out on a new contract when this term expires.

Resolution R2019-076 Approval of Professional Services Agreement for Township Auditors with Nisivoccia and Company, LLP

**RESOLUTION R2019-076
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for Auditing and Accounting Services, for the term of January 1, 2019 through December 31, 2019, for the Township of East Windsor; and

WHEREAS, on September 25, 2018, the Township solicited proposals and received two (2) proposals by the receipt date of November 8, 2018 for Township Auditing and Accounting Services; and

WHEREAS, the cost proposal received from Nisivoccia and Company, LLP was most responsive based on the expertise, knowledge and history of auditing services previously provided to East Windsor Township; and

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

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

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

WHEREAS, the maximum amount of the contract is \$37,654.00 and funds are available in the Current Fund Account No. 9-01-20-135-203-249 entitled "Current Fund- Audit & Accounting" in the amount of \$34,000.00 and Current Fund Account No. 9-30-26-305-150-249 entitled "Garbage District-Audit & Accounting Services," in the amount of \$3,654.00, as evidenced by the Chief Finance Officer's Certification No. B2019-014.

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 Nisivoccia and Company, LLP, Mount Arlington Corporate Center, 200 Valley Road, Suite 300, Mount Arlington, New Jersey 07856-1320, for a term of January 1, 2019 through December 31, 2019, in an amount not to exceed \$37,654.00.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
2. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the Resolution and Agreement are on file and available for public inspection in the office of the Municipal Clerk.

Mayor Mironov requested that in the Resolution, the ninth paragraph be revised to include the term and amount of the contract.

Mayor Mironov stated that a recommendation on this has been received from the Finance Director. She added that next year Mayor and Council will take a closer look at this.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2019-076 with changes.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-076 was approved with changes.

Resolution R2019-077 Approval of Professional Services Agreement for Architectural Services for the Senior Center with Settembrino Architects

**RESOLUTION R2019-077
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for Professional Architectural Services for the Senior Center Expansion Project in the Township of East Windsor; and

WHEREAS, the Township posted/solicited proposals on November 27, 2018 and received seven (7) proposals for Architectural Services for the preparation of concept and

construction plans, bid specifications and construction management services related to the Senior Center Expansion Project by the deadline of January 10, 2019; and

WHEREAS, the Township Council has reviewed the recommendation from the sub-committee appointed by the Mayor to award a contract to Settembrino Architects as the most advantageous proposal received; and

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

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

WHEREAS, the Settembrino Architects proposal for Professional Architectural Services for the Senior Center Expansion Project provides for a base fee of \$84,500, and Option 1 civil engineering in the amount of \$23,900, for a total amount not to exceed \$108,400. Alternately, in accordance with the "June 24, 2019 – Revised" correspondence, if required and with written authorization of the Township, civil engineering option of \$32,500, for a total amount not to exceed \$117,000; and

WHEREAS, the maximum amount of the contract is \$117,000 and funds are available in the in the Grant Fund Account No. G-02-40-950-968-299 entitled "2019 Mercer at Play, Round 2," upon the approval of the signed grant agreement and receipt of funds from Mercer County, as evidenced by the Chief Financial Officer's Certification No. G2019-003.

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 Settembrino Architects, 25 Bridge Avenue, Suite 201, Red Bank, New Jersey 07701.
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.

Mayor Mironov asked as a matter of record keeping, what happened to Resolution R2019-069 on this same subject. She asked that a third paragraph be added to the resolution stating that Council has reviewed the recommendation of the Mayor appointed subcommittee. She also asked that the Resolution be revised to make it clear what the actual price of the contract is, as there were alternatives that were included in the proposal materials that they do not anticipate doing, so the Resolution should be very clear as to exactly what is being approved. Mayor Mironov stated that they are looking to have a kick-off meeting with the architect this month so they can continue to move forward with the project.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-077 with changes.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-077 was approved with changes.

Resolution R2019-078 Approval of Interlocal Services Agreement for Senior
Service/Center Agreement with Borough of Hightstown

**RESOLUTION R2019-078
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2017-067, adopted on April 18, 2017, the Township Council entered into a successor Agreement, with the Borough of Hightstown to continue the provision of Senior Program/Center Services, commencing on March 1, 2017 through February 28, 2018; and

WHEREAS, the parties desire to enter into another successor Agreement, commencing on March 1, 2018 through February 28, 2019, to continue the provision of Senior Program/Center Services by the Township to the Borough of Hightstown; and

WHEREAS, the parties desire to enter into another successor Agreement, commencing on March 1, 2019 through February 29, 2020, to continue the provision of Senior Program/Center Services by the Township to the Borough of Hightstown; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations on this agreement.

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 attached Shared Services Agreement between East Windsor Township and Hightstown Borough for Senior Program/Center Services is hereby approved for the period March 1, 2019 through February 29, 2020, in accordance with the provisions of N.J.S.A. 40:65-1.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Mayor Mironov stated that Mayor and Council had had looked at this agreement previously and Hightstown has already approved and signed the agreement.

It was MOVED by Daniels, SECONDED by Rosenberg to approve Resolution R2019-078.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-078 was approved.

Resolution R2019-079 Authorizing Approval of Shared Service Agreement with
Municipal Utilities Authority to provide certain services to the
Township

**RESOLUTION R2019-079
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Municipal Utilities Authority (EWMUA) is willing to provide certain services to the Township of East Windsor (Township) for a fee and upon certain specified conditions for the year 2019; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes any municipal entity to enter into a contract with any other municipal entity for the joint provision of any service which either party is empowered to render within its own jurisdiction; and

WHEREAS, the maximum amount of the contract is \$106,581.00, and funds are available in the 2019 Current Fund Account No. 9-01-20-100-102-253 entitled “Other

Contractual Services”, as evidenced by the Chief Financial Officer’s Certification No. B2019-015.

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

1. The attached Agreement entitled “Shared Services Agreement between The Township of East Windsor, in the County of Mercer, State of New Jersey and The East Windsor Municipal Utilities Authority, in the County of Mercer, State of New Jersey”, for a term of February 1, 2019 through January 31, 2020, is hereby approved, in accordance with the provisions of N.J.S.A. 40A:65-1.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Mayor Mironov stated that this agreement was worked out between the Township and the East Windsor Municipal Utilities Authority (EWMUA) and has already been approved by the EWMUA. She requested that the EWMUA provide Mayor and Council with a copy of their approved resolution for this agreement.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2019-079.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-079 was approved.

Resolution R2019-080 Approval of Maintenance Contract with Spillman Technologies for Computer Software for the Police Department

**RESOLUTION R2019-080
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase police software enhancements and maintenance of the Records Management system, including computer aided dispatch, 9-1-1 interface, as well as general updates, telephone support, dial-in software modifications and repairs for the computer software for the Police Department; and

WHEREAS, Motorola Solutions, Inc., formerly Spillman Technologies, Inc., is the sole provider and has not authorized maintenance of their software by any other vendor; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, any contract which exceeds the bid threshold may be negotiated and awarded by the governing body without publicly advertising for bids if the subject matter consists of the provision or performance of goods and services for the support or maintenance of proprietary computer hardware and software; and

WHEREAS, the Township Council has reviewed the Chief of Police's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$23,783.01 and funds are available in the Current Fund Account No 9-01-25-240-305-245 entitled "Police Records Other Maintenance", as evidenced by the Chief Financial Officer's Certification No. B2019-016.

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Motorola Solutions, Inc., 4625 West Lake Park Boulevard, Salt Lake City, Utah 84120, for the purchase of police software enhancements, maintenance of the Records Management system, including computer aided dispatch, 9-1-1 interface, as well as general updates, telephone support, dial-in software modifications and repairs for the computer software for the period of June 1, 2019 through May 31, 2020, for the East Windsor Township Police Department, in an amount not to exceed \$23,783.01, in accordance with the attached quote.

Mayor Mironov stated that a recommendation from the Chief of Police was received on this subject, and money was incorporated into the municipal budget for this purchase.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-080.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-080 was approved.

Resolution R2019-081 Approval of Police Communication Services Maintenance Agreement with KML Technology, Inc for the Police Department Communications Center

**RESOLUTION R2019-081
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for support and maintenance services for the Emergency 911 terminals in the Communications Center at the Police/Court Building; and

WHEREAS, KML Technology, Inc. is the sole provider for the Emergency 911 support and maintenance services; 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 Chief of Police's recommendation on these services; and

WHEREAS, the maximum amount of the contract is \$4,725.00 and the Chief Financial Officer has determined funds are available in the Current Fund Account No. 9-01-25-250-308-254 entitled "Police Communication Contracts," as evidenced by the Chief Financial Officer's Certification No. B2019-017.

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to KML Technology, Inc., 1460 Grandview Avenue, Unit 4, West Deptford, NJ 08066, for support and maintenance services for the Emergency 911 terminals in the Police Communications Center at the Police/Court Building for the term commencing April 13, 2019 through April 12, 2020, in an amount not to exceed \$4,725.00, in accordance with the attached quote.

Mayor Mironov stated that a recommendation from the Chief of Police was received on this subject, and money was incorporated into the municipal budget for this.

It was MOVED by Daniels, SECONDED by Shapiro to approve Resolution R2019-081.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-081 was approved.

Mayor Mironov stated Resolution R2019-082, Resolution R2019-083, Resolution R2018-084 and Resolution R2019-085 will be voted on as a block.

Resolution R2019-082

Approval of Agreement with Twin Rivers Homeowners Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-082
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Twin Rivers Homeowners Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$21,872.92 pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 9-01-26-325-802-253 entitled "Condo Services", in the amount of \$21,872.92, as evidenced by the Chief Financial Officer's Certification No. B2019-018.

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

1. The attached Agreement for the year 2018 in the amount of \$21,872.92 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2019-083

Approval of Agreement with Riviera Homeowners Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-083
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Riviera at East Windsor Homeowners Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$14,379.80, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 9-01-26-325-802-253 entitled "Condo Services", in the amount of \$14,379.80, as evidenced by the Chief Financial Officer's Certification No. B2019-019.

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

1. The attached Agreement for the year 2018 in the amount of \$14,379.80 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2019-084 Approval of Agreement with Georgetowne Homeowners Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-084
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Georgetown Homeowners Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$6,861.39, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 9-01-26-325-802-253 entitled "Condo Services", for an amount not to exceed \$6,861.39, as evidenced by the Chief Financial Officer's Certification No. B2019-020.

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

1. The attached Agreement for the year 2018 in the amount of \$6,861.39 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2019-085 Approval of Agreement with Windsor Regency Condominium Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-085
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Windsor Regency Condominium Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$2,582.33, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 9-01-26-325-802-253 entitled "Condo Services", in the amount of \$2,582.33, as evidenced by the Chief Financial Officer's Certification No. B2019-021.

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

1. The attached Agreement for the year 2018 in the amount of \$2,582.33 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Mayor Mironov stated that Mayor and Council had reviewed these agreements at the beginning of the year at the January 28 Council meeting but these did not go out as per the Township's standard operating procedure.

It was MOVED by Shapiro, SECONDED by Yeager to approve Resolution R2019-082, Resolution R2019-083, Resolution R2019-084, and Resolution R2019-085.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-082, Resolution R2019-083, Resolution R2019-084, and Resolution R2019-085 were approved.

Resolution R2019-086 Approval of Award of Contract for Third Party Administrator Services with MagnaCare

RESOLUTION R2019-086
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for Third Party Administrative (TPA) Services for the administration and processing of health insurance benefits in the Township of East Windsor; and

WHEREAS, on March 25, 2019, the Township solicited proposals, and on April 25, 2019 the Township received one (1) proposal for Third Party Administrative (TPA) Services; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations; and

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

WHEREAS, the maximum amount of the contract is \$23,544.00 and funds are available in the Current Fund Account No. 9-01-23-220-109-249, entitled, "Group Insurance – Licensed Professional," as evidenced by the Chief Financial Officer's Certification No. B2019-022.

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 Agreement with MagnaCare, 1600 Stewart Avenue, 7th Floor, Westbury, NY 11590 for a term of June 1, 2019 to May 31, 2020, in an amount not to exceed \$23,544.00.
2. This Contract is awarded without competitive bidding as a "Extraordinary Unspecifiable Services" in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law because the contract is for services which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor and which is not susceptible to competitive bidding, 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.

Mayor Mironov stated that the Township Manager's office had provided a recommendation on this subject.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2019-086.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-086 was approved.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Mr. Shapiro stated that the Planning Board met on May 6 and reviewed an application from the Americana Hospitality Group regarding improvements to the Americana Diner on Route 130. The application was approved and the owner expects that the project will be completed in the next few weeks.

Mr. Rosenberg stated that the Clean Communities Advisory Committee met on April 25 and discussed the Recycling Day event, which was a full team effort that all members were highly involved in. They also discussed the Adopt a Spot program and the annual Business Litter Free recognition. Mr. Rosenberg added that the Commission on Aging also met on April 25 and dedicated a large portion of their meeting to updating contact information in the Senior Resource Directory.

Mayor Mironov stated that she attended the East Windsor Regional School District Curriculum Expo on April 17 at the high school. She also reported that earlier on May 7, she and Ron Balint, Chair of the Green Team and Environmental Commission, attended a Sustainable Jersey grant award ceremony at the College of New Jersey. East Windsor Township was awarded a \$10,000 grant from Sustainable Jersey for the restoration and update of the arboretum at Etra Lake Park. Mayor Mironov also announced that information was distributed in meeting folders tonight, informing Council that S&P Global Rating has updated the Township's bond rating from AA to AA+, which is an excellent rating and a major upgrade. She stated that this has been a mission of hers and while the Township was interviewing financial advisors, they had made it clear this would be an important focus of their services. She added that this upgrade is reflective of the financial management and policies of the Township and the good work of the Finance Director. The bond rating upgrade will lead to a higher level of savings and funding the Township is eligible for. Mr. Shapiro praised Mayor Mironov's efforts on this, and said that this is a terrific thing for the Township. Mr. Rosenberg agreed.

CORRESPONDENCE:

Mayor Mironov stated that correspondence will be discussed during Matters by Council.

APPOINTMENTS:

Resolution R2019-087 Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2019-087
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Linda Moore is hereby appointed as a member of the East Windsor Municipal Utilities Authority for a five (5) year term commencing on February 1, 2019 and expiring on January 31, 2024.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2019-087.

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

There being four (4) ayes, no (0) nays, and one (1) abstention, Resolution R2019-087 was approved.

Resolution R2019-088 Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2019-088
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Michael Shifman is hereby appointed as an Alternate #2 Member of the East Windsor Municipal Utilities Authority for a five (5) year term commencing on February 1, 2019 and expiring on January 31, 2024.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2019-088.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-088 was approved.

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.

Mayor Mironov asked if the Township was up to date on payments to ACT Engineers. Mr. Brand confirmed that they are.

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

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

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

MATTERS BY COUNCIL:

Mr. Shapiro stated that the left hand lane on Route 130 North near the American Diner is in poor shape and needs repair. Mayor Mironov requested that someone take a look at the area and contact NJDOT, as it is their road.

Mr. Rosenberg stated that a resident approached him regarding the number of pennants and flags along the small strip mall across Old Cranbury Road from the former State Police Barracks, and he had suggested they take a picture of the site and provide it to Mayor and Council to see if this is something the Township needs to handle. Mayor Mironov stated that staff would take a look at the site and see if it requires some clean up.

Mayor Mironov stated that a report from the Tax Collector and an annual report were received. Mayor Mironov noted that Mr. Shapiro had received a letter regarding his voting district, as he had been previously moved to a different district. She stated that she had provided an election district map at a previous Council meeting, but it is her understanding Mercer County has sent out letters to all voters who were improperly moved in East Windsor Township and all voters have been restored to their original voting districts. Mayor Mironov stated that a letter was received from Hickory Corner Library dated April 23 thanking the Township for the donation of the Barnes and Noble gift cards, and they would be using them for their summer reading program. Mayor Mironov announced that the Township would be having another Passport Service Day with the Mercer County Clerk's Office on June 13 from 11 AM to 4 PM at the Municipal Building. The Township just had a Passport Service Day in April, but the event was so popular that all the slots were filled within a couple of weeks of advertising the event, so the Township has decided to have another event.

Mayor Mironov asked Council Members to consider moving the June 18 Council meeting to June 25 and asked that they check their availability that day. Mayor Mironov stated that she had wanted to discuss the Magnolia Ridge project tonight, but coincidentally got a phone call from ACT Engineers earlier today on the matter. Mayor and Council had requested that ACT Engineers send a letter to the developer K. Hovnanian but apparently that did not occur. ACT Engineers has advised Mayor Mironov that a letter will be sent in the next few days. She noted that this project needs to be finished. Mayor Mironov requested an update in the next 30 days

regarding the Township's vacant and foreclosed property registration ordinance, in terms of how staff is tracking properties and an update on revenue received to date. Mayor Mironov requested an update when available on Brooktree Road and restoration by PSE&G. Mayor Mironov noted that the Chief of Police would be providing information on the Child Safety Seat Inspection program to Mayor and Council, including a program schedule and other materials in the next couple of days.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Concept Development Study of Extending Airport Road to Route 130 Grant Application

Resolution R2019-089

Approval of Concept Development Study Extending Airport Road to Route 130

Mayor Mironov stated that she had met with the NJDOT Commissioner on this, and the Commissioner had advised the Township to submit a grant application. The NJDOT's Municipal Aid program is not open at this point, so while there are no deadlines on this they were advised to submit this application at their earliest opportunity. The expectation is that NJDOT will fund a concept development study with respect to the extension of Airport Road. Mayor and Council have received in their meeting folders tonight a memorandum from the Manager's Office and a copy of the application. Mayor Mironov stated that because these materials were received tonight, there is no way Mayor and Council can comment on the contents of the application or the amount being requested this evening. She noted that there is no doubt Mayor and Council want to file an application, so while they may take action on the Resolution tonight, they will have to take a closer look at the application and provide any comments. She asked Mr. Brand how this application was structured and how the amount was determined, and if they had reached out to anyone at NJDOT. Mr. Brand stated that the Manager's Office spoke to T&M Associates to get a quote on the approximate cost of the job to include in the application, but they did not speak with anyone at NJDOT. Mayor Mironov asked if a concept development study incorporates the engineering of the actual roadway, as that appears to be incorporated in this application. She also asked Mr. Brand if the Township is supposed to be including the cost of all of the engineering work and all of the work in conjunction with the design and engineering of the roadway in the application to NJDOT. Mr. Brand stated that he believed so. Mayor Mironov asked Mr. Brand if he spoke to anyone at NJDOT that indicated that and Mr. Brand stated that he did not. Mayor Mironov stated that they had a meeting with the NJDOT Commissioner and they had asked the Township to submit a grant application to fund a concept development study, and her understanding of a concept development was to review the feasibility of the project and evaluating potential utility placement, environmental issues and the possible location for the actual roadway. She stated that if the engineer costs should be included in the application as they are now, they should confirm this with someone at the NJDOT. Mr. Brand stated that he would reach out and confirm. Mayor Mironov stated that this should have been done prior to preparing the application. She also

commented that the application seems sparse in information and has the incorrect contact information. She requested to discuss the application tomorrow with the Manager's Office because the application must be filed this week, but Mayor and Council can take action on the resolution tonight.

Mayor Mironov requested the following changes to the Resolution: The first paragraph should read *Whereas, East Windsor Township believes the extension of Airport Road westward from NJ Route 33 to Route 130 will benefit the Township circulation by facilitating traffic flow and enhancing safety in that area; and.* The second paragraph should read *Whereas, to further examine the feasibility and appropriate alignment for this roadway project, East Windsor Township is seeking to perform a Concept Development Study to extend Airport Road to Route 130; and.* The third paragraph should read *Whereas, East Windsor Township desires to request funds to hire an engineer to prepare a Concept Development Study for the extension of Airport Road to Route 130.* Mayor Mironov requested that the application number and title in the fifth paragraph be confirmed. She requested that these changes be made to the Resolution, and Council consider taking action tonight as it is important to get this moving, while the Manager's Office will reach out to NJDOT to confirm if this application is responsive to the Commissioner's comments or if it needs revisions.

RESOLUTION R2019-089
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, East Windsor Township believes the extension of Airport Road westward from NJ Route 33 to Route 130 will benefit the Township circulation by facilitating traffic flow and enhancing safety in that area; and

WHEREAS, to further examine the feasibility and appropriate alignment for this roadway project, East Windsor Township is seeking to perform a Concept Development Study to extend Airport Road to Route 130; and

WHEREAS, East Windsor Township desires to request funds to hire an engineer to prepare a Concept Development Study for the extension of Airport Road to Route 130.

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 is hereby authorized and directed to submit an application on behalf of East Windsor Township, to the New Jersey Department of Transportation for the Concept Development Study of extending Airport Road to Route 130.

2. The Mayor is hereby authorized to sign the grant agreement, if required, on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2019-089 with changes.

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

There being five (5) ayes, and no (0) nays, Resolution R2019-089 was approved with changes.

2. Open Space Acquisition Proposed Projects

Resolution R2019-090	Action on Award of Contract for Appraisal Services for Green Acres Funded Properties located at 641 Etra Road, Block 32, Lot 13.01; 140 Cedarville Road, Block 30, Lot 19.03; 949 Windsor Perrineville Road, Block 31, Lot 21; and 820 Windsor Perrineville Road, Block 35, Lot 4 and 4.01, East Windsor, New Jersey
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Mayor Mironov stated that a request for proposals for appraisal services was sent out, and that is probably the most important item that Mayor and Council need to get done on the open space acquisition project so the Township can evaluate the properties. She stated that the Assistant Township Manager prepared a recommendation as requested, but she noted when reviewing the actual proposals that there was a difference of \$25 dollars between two appraisers and a \$200 dollar difference with the third. She stated that she is not prepared to award this tonight in light of the fact that there is a de minimus difference among the three appraisers, and some of them the Township has prior experience with. She requested that this be held until the next Council meeting.

3. Route 130/Hankins Road/Conover Road Realignment – Project Status

Mayor Mironov stated that she requested the Township Manager provide Mayor and Council with an update on the project tonight. Mr. Brand stated that Earle Asphalt Company was out on the project site and started work two weeks ago. He stated they did some stripping of the soil and found some areas that were very soft, so they had to put down two to three inch size stone to make a better bedding. They also installed about 80% of the sub-base of the roadway. Mr. Brand stated that was a conflict with JCP&L and PSE&G. There is an electric pole right in the center of the area where Hankins Road will be extended that must be relocated, and there is a sixteen inch gas transmission main that is also in the way. JCP&L will be relocating the electric pole in the next couple of weeks. PSE&G has stated that they will relocate the gas main at their own cost, but the work will take about two to three months, as they need to go out to bid for the

project and the contractor will need two to three weeks to complete the relocation. Mr. Brand stated that this will not delay the project, as Earle Asphalt Company has begun to work on other parts of the project in order to keep it moving. He stated that yesterday and today electricians were on site directional drilling underneath the roadway to pull back the electrical conduits for the traffic signals. The East Windsor Municipal Utilities Authority is paying Earle Asphalt Company to relocate two fire hydrants that are in the way of the work, and that will be completed in the next couple of weeks. Foundation and concrete work will begin soon on the site and a new traffic signal will be installed. Once the new traffic signal is operational, the existing traffic signal will be removed from the center median. Mr. Brand stated that he spoke with the project manager and they are very comfortable they will meet the anticipated project completion date.

Mayor Mironov stated that she wanted to thank Mr. Brand for staying on top of this project and recognizing how important it is. She stated that he has played a critical role in keeping the project moving. She also added that one of the Mercer at Play grant projects is improvements at Anker Park, and Mr. Brand has already started work out there. She stated that both of these projects are big priorities for Mayor and Council and she wanted thank him for his work. She also noted that as part of the improvements at Anker Park, the Township is looking at the grading out there and they are considering changing the subsurface material under the Tot Lot to something more lasting and aesthetically pleasing.

MATTERS BY PUBLIC:

No one from the public spoke.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:58 p.m.

Next Meeting: Tuesday, May 21, 2019 @ 7:30 p.m.

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

