

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, June 4, 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, June 4, 2019.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on May 31, 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: Deputy Mayor Marc Lippman

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

2018 East Windsor Township Business Awards

Berkshire Bank

Exeter Property Group

Hovione, L.L.C.

Shiseido America, Inc.

Mayor Mironov presented the four local businesses with awards for their contributions to the Township. Tom Lannigan, Regional Manager, and Pamela Simmons, East Windsor Branch Manager accepted the award for Berkshire Bank. Ken Iriana, Property Manager, accepted the award on behalf of Exeter Property Group. Filipe Tomas, General Manager, accepted the award on behalf of Hovione, L.L.C. Ladislav Hanzes, Plant Manager and Vice President of Manufacturing accepted the award for Shiseido America, Inc.

Flag Day— June 14, 2019

Mayor Mironov sent Flag Day proclamations to local commanders.

Mental Health Awareness Month – June 2019

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

December 4, 2018
January 15, 2019
February 12, 2019

Mayor Mironov held the December 4, 2018, January 15, 2019 and the February 12, 2019 minutes.

October 23, 2018
March 5, 2019
March 19, 2019
April 2, 2019
April 16, 2019
May 7, 2019

All remaining minutes were 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

**RESOLUTION R2019-040
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, in November/December 2018, Mercer County resurfaced Millstone Road, however, the pavement markings and line striping were not included in the project; and

WHEREAS, there is a need for line striping on Millstone Road in East Windsor Township; 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 recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$3,652.00 and funds are available in Capital Ordinance 2017-15, Line C 04-55-980-921-890 entitled "Annual Road Program", as evidenced by the Chief Financial Officer's Certification No. C2019-003.

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 Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Zone Stripping, Inc., 718 Jacob Harris Lane, PO Box 568, Glassboro, NJ 08028, for the purchase of 8,300 4" linear feet of white traffic line stripping in the amount of \$1,826.00 and 8,300 4" linear feet of yellow line stripping in the amount of \$1,826.00, for a total amount not to exceed 16,600 linear feet in amount not to exceed \$3,652.00 for Millstone Road, all in accordance with the attached quote.

Mayor Mironov stated a memo, dated May 22, was received from the Director of Public Works that needs to be reissued. The Mayor and Township Attorney both agreed that the last sentence of the memo was inappropriate and should be removed and reissued to Mayor and Council. Mayor Mironov requested that a few minor revisions be made to the Resolution [which is incorporated in the above Resolution].

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2019-040 with the revisions.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-040 was approved with the revisions.

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

RESOLUTION R2019-074
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 for the East Windsor Township Senior Center Expansion and for Anker Park Improvements, in a total amount not to exceed \$950,000, is now available as revenue from the 2019 Mercer at Play, Round 2 grant.
2. A like sum of \$950,000.00 is hereby appropriated under the caption of 2019 Mercer at Play, Round 2 East Windsor, entitled "Senior Center Expansion" "Anker Park" grant.

Mayor Mironov stated she was going to wait to vote on this tonight, but the agreement was received and is now ready to be acted on. Mayor Mironov asked that the account number be removed from the Resolution.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2019-074.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-074 was approved.

Resolution R2019-099 Approval of Agreement with Windsor Mill Condominium Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-099
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Windsor Mill Condominium Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$13,422.07, 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 \$13,422.07, as evidenced by the Chief Financial Officer's Certification No. B2019-024.

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 \$13,442.07 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2019-100 Approval of Agreement with Westfield Road Condominium Association for Reimbursement for Private Community Services for 2018

**RESOLUTION R2019-100
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Westfield Road Condominium Association wish to enter into an Agreement for private community services for the year 2018 in the amount of \$1,186.57, 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 \$1,186.57, as evidenced by the Chief Financial Officer's Certification No. B2019-025.

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 \$1,186.57 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

The Township Attorney stated that if a Council Member lives in one of the communities it is not a conflict to vote on the Resolution.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2019-099 and Resolution R2019-100.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-099 and Resolution R2019-100 were approved.

Resolution R2019-101 Approval of Purchase of Turnout Gear from SAFE-T, for East Windsor Volunteer Fire Company No. 2

RESOLUTION R2019-101
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase five (5) replacement turnout sets for the East Windsor Volunteer Fire Company No. 2, Inc.; and

WHEREAS, three (3) quotes were obtained to provide this equipment; 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, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the lowest cost proposal for the replacement turnout equipment was submitted by SAFE-T through State Contract No. A80948 which is valid through June 30, 2019; and

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

WHEREAS, the maximum amount of the purchase is \$13,671.35 and funds are available in Capital Account No. C-04-55-980-923-541 entitled Ordinance 2019-01 "FC #2 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No. C2019-011.

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to: SAFE-T, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457, for five (5) Morning Pride Structural Turnout Coats in an amount of \$8,098.35 and five (5) Morning Pride Structural Turnout Pants in an amount of \$5,573.00, for a total amount not to exceed \$13,671.35, in accordance with the attached quote.

Mayor Mironov stated a request was received from Fire Company #2 Chief and a memo from the Township Manager recommending the purchase. Mayor Mironov stated another paragraph with the bid threshold information needs to be added.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2019-101 with revisions.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-101 was approved with the revisions.

Resolution R2019-102 Action on Request for Release of Developer's Agreement with
Conair Corporation, 150 Milford Road, Block 22.02, Lot 12, East
Windsor

RESOLUTION R2019-102
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, the Township of East Windsor and Conair Corporation executed a Developer's Agreement dated October 1, 2001, affecting the premises at 150 Milford Road known as Block 22.02, Lot 12 in the Township of East Windsor, County of Mercer County and State of New Jersey; and

WHEREAS, the Developer's Agreement was recorded on October 26, 2001 in the Office of the Mercer County Clerk in Deed Book 04160 on Page 0046; and

WHEREAS, the Developer has fulfilled all of its obligations under the said Developer's Agreement, and the performance guarantees have been released by prior resolution of the Township Council; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Attorney, Township Manager and Finance Director.

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 to execute the Satisfaction and Release of Developer's Agreement between the Township of East Windsor and Conair Corporation.
2. A copy of this Resolution certified to be a true copy be forwarded to the Township Attorney and Conair Corporation.

Mayor Mironov stated a few revisions need to be made to the Resolution [which is incorporated in the above Resolution].

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2019-102 with the revisions.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-102 was approved with the revisions.

Resolution R2019-103 Action on Request for Release of Performance Guarantee by Arco Design/Build Industrial for Exeter Property Group

**RESOLUTION R2019-103
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Joe Penta, Project Manager of Arco Design Build, requested by letter dated October 15, 2018, a release of the performance guarantees being held by the Township for Project Terra, Exeter Property Group

(National Lead) located at 329 and 359 Wyckoff Mills Road, known as Block 13, Lot 1.01 and 1.02 in the Township of East Windsor, County of Mercer County and State of New Jersey; and

WHEREAS, the Township Engineer has inspected the site work for the property located at 329 and 359 Wyckoff Mills Road and filed a written report with the Township Council dated May 23, 2019, which is attached hereto and made a part of this Resolution; and

WHEREAS, the Township Council has reviewed the May 23, 2019 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 agrees to reduce Performance Bond #800002117 issued by Atlantic Specialty Insurance Company from \$5,878,139.76 to \$1,763,441.93 and cash guarantee in the amount of \$653,126.40 to \$195,937.92.
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 Joe Penta, Project Manager of Arco Design Build.

Mayor Mironov stated a few revisions need to be made [which are incorporated in the above Resolution]

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2019-103 with the revisions.

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

There being four (4) ayes, and no (0) nays, Resolution R2019-103 was approved with the revisions.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

CORRESPONDENCE:

APPOINTMENTS:

Mayor Mironov appointed Lesley Gross as an Auxiliary Member of the Economic Development Committee, Niles Patel as an Auxiliary Member of the Clean Communities Advisory

Committee, Simran Bathal as a student member of the Environmental Commission, and Laasya Uppuluri as a student member of the Recreation Commission.

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 questioned who is monitoring the two payments for ACT engineers. The Township Manager stated he will look into and ask the Director of Public Works. She asked about the two trees on the current bill list and requested that they get pulled for payment.

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

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

There being four (4) ayes, and no (0) nays, the various presented Bill Lists were approved with the holds and clarifications.

MATTERS BY COUNCIL:

Mayor Mironov stated the next Council Meeting is moved from June 18 to June 25, 2019. Mayor Mironov stated Clean Communities met on May 23 and discussed the April 22 Recycling event, the litter free award, new ideas for the adopt a spot and the suggestion box for the high school. Mayor Mironov stated the Deputy Municipal Clerk, Allison Quigley passed her Registered Municipal Clerk exam and will be receiving her RMC certification. She stated a letter was sent on May 24 to New Jersey Department of Transportation regarding the Twin Rivers Community Trust. She also sent a letter, dated May 29, to the Commissioner of Department of Transportation regarding the extension of Airport Road and the Township is waiting for a response. Mayor Mironov stated a May 22 memo was received from the Township Manager regarding May 21 bill list questions. Mayor Mironov stated a May 28 memo was received from the Township Manager regarding April 16 bill list questions. She stated a letter was received from Congresswoman Bonnie Watson Coleman recognizing the \$10,000 Sustainable Jersey award. Mayor Mironov stated a memo, dated May 21, was received from the Director of Public Works regarding Route 130/Hankins Road/Conover Road, which she is looking for more information on. Mayor Mironov stated two memos were provided by the Director of Public Works, dated May 3 and May 30, regarding asphalt and she stated whatever would normally be done to go out to bid needs to be done. She stated a letter, dated March 24, from Department of Environmental Protection was received and she would like Marc Liss to follow-up on the funding and have it directly verified. Mayor Mironov stated the stewardship grant application that was filed by the Director of Public Works which was agreed upon at the

last meeting. Mayor Mironov questioned the totality of trees that were down in Mercer County from the JCP&L program. Mayor Mironov stated that the NNO program was discussed and a program was put together regarding street trees and she would like that document found. She also stated now that East Windsor has appropriate people to pick the trees she would like those people added to the form. Mayor Mironov stated that East Windsor has been awarded by the Clean Communities grant in the amount of \$53,739.84. Mayor Mironov reminded Council that a passport day will be held on June 14 from 11:00 a.m. to 4:00 p.m. at the Municipal Building. She also stated a car seat program, underwritten by a state grant, kicks off Saturday June 15 at the Target parking lot plus an additional schedule will be provided that will continue throughout the next month. Mayor Mironov requested an update on the Dutch Neck Morrison Road roadwork project. Mayor Mironov stated she received some suggestions from a resident regarding the Mercer at Play Anker Park play area improvements. She stated she would like to start looking into what improvements need to be done to Anker Park in regards to grading and the tot lot area.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. New Jersey Department of Transportation FY2020 Grant Programs
 - a. Municipal Aid
 - b. Transit Village
 - c. Bikeway
 - d. Safe Streets to Transit

Mayor Mironov stated a memo was provided from the Director of Public Works regarding municipal aid. She stated the areas she would like to discuss is on roadways and bikeways. Mayor Mironov stated she had looked at prior applications and would like to get the last couple applications that East Windsor filed and look at the language that was used. She also stated she would like to get a couple of applications from surrounding towns and compare with our application to see how to make ours stronger. Council Member Zoller stated many of the streets that are listed are in very bad condition but he is looking for Cornwall Drive to be added to the list. Mayor Mironov stated she did not agree with how the Director of Public Works rated the streets in order of work needed. Mayor Mironov stated One Mile Road does not make sense to do now due to projects that are currently taking place on those roadways. She stated in order for the application to be strong streets need to be piled two applications, one for Exeter Road Berkshire Road and Stanford Court and one for Oak Branch Road along with Rocky Brook Road and one of the connector roads. She stated this also needs to be listed on the next regularly scheduled meeting.

Mayor Mironov stated there was only one bikeway choice provided and she is looking for more options. She also questioned if the bikeway grant program is federally funded.

MATTERS BY PUBLIC:

No one spoke from the public.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 9:00 p.m.

Next Meeting: Tuesday, June 25, 2019 @ 7:30 p.m.

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

