

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday November 24, 2020

5:30 p.m.

via Zoom Video Conferencing

### **MINUTES**

#### **CALL TO ORDER:**

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 5:30 p.m. on Tuesday, November 24, 2020.

#### **VERIFICATION:**

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on November 20, 2020, notices were sent to the Trenton Times, filed in the office of the Municipal Clerk and posted in the East Windsor Municipal Building. All requirements of the open public meeting act have been satisfied.

**FLAG SALUTE:** Led by Council Member Lippman.

#### **ROLL CALL:**

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

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

Womanspace Communities of Light – December 7, 2020

Mayor Mironov announced that East Windsor once again will be participating in Womanspace “Communities of Light” event on Monday, December 7 at 5 P.M. and encouraged residents and local businesses to support the event by lighting up the Township Municipal Building and the streets of East Windsor as a powerful symbol of hope for men, women and children impacted by domestic violence and human trafficking. She stated residents are encouraged to participate from their homes by lighting purchased candles on their front porches and local business owners are encouraged to participate by lighting purchased candles in front of their business. She stated alternatively, citizens can drop off purchased luminary kits at the East Windsor Police/Court Building or the Municipal Building which will be used to light up town hall. Mayor Mironov stated luminary kits of six candles can be purchased 24/7 for \$10 at the East Windsor Police/Court Building, located at 80 One Mile Road. She stated all proceeds will go 100% to Womanspace, the primary Mercer County Organization providing a comprehensive array of services to support victims and families impacted by domestic violence.

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

#### **PUBLIC FORUM:**

No one from the public spoke.

#### **MINUTES:**

December 17, 2019  
March 10, 2020  
March 24, 2020

Mayor Mironov held December 17, 2020, March 10, 2020 and March 24, 2020 minutes pending additional revisions.

May 5, 2020

Mayor Mironov stated pages 1, 6, 7, 21 and 22 needed to be revised.

It was MOVED by Daniels, SECONDED by Lippman to approve the May 5, 2020 Council meeting minutes with the changes.

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

There being seven (7) ayes and no (0) nays, the May 5, 2020 minutes were approved with the changes.

May 19, 2020

Mayor Mironov stated pages 1 and 8 needed to be revised.

It was MOVED by Daniels, SECONDED by Lippman to approve the May 19, 2020 Council meeting minutes with the changes.

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

There being seven (7) ayes and no (0) nays, the May 19, 2020 minutes were approved with the changes.

June 2, 2020  
June 16, 2020  
July 7, 2020  
July 21, 2020  
August 4, 2020  
August 18, 2020  
September 1, 2020  
September 22, 2020  
October 6, 2020  
October 20, 2020

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

**ORDINANCE – PUBLIC HEARING:**

**ORDINANCE – INTRODUCTION:**

**RESOLUTIONS:**

**Resolution R2020-186** Chapter 159 – Amending the 2020 Municipal Budget Providing an Item of Revenue and Appropriation for Bulletproof Vest Partnership

**RESOLUTION R2020-186  
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 2020 in the sum of \$8,531.60, which item is now available as revenue from the Bureau of Justice Assistance (BJA) – 2020 Bulletproof Vest Partnership, pursuant to the provisions of the statute.
2. A like sum of \$8,531.60 is hereby appropriated under the caption of Bureau of Justice Assistance (BJA) – 2020 Bulletproof Vest Partnership.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on November 24, 2020.

It was MOVED by Rosenberg, SECONDED by Zoller to approve Resolution R2020-186.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-186 was approved.

**Resolution R2020-187** Authorizing Cancellation of Portion of Ordinance 2012-6

**RESOLUTION R2020-187  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, Ordinance 2012-6, which was adopted on May 1, 2012, provided for an alternate funding source for the acquisition of open space in and by the Township of East Windsor for a ten year period and authorized the issuance of \$2,690,000 in bonds or notes for this purpose; and

**WHEREAS**, during the year ended December 31, 2020, no debt was issued by the Township pursuant to this ordinance; and

**WHEREAS**, it is necessary to formally cancel the 2020 portion of debt of \$269,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the unissued debt authorized in Ordinance 2012-6 of \$269,000 be canceled.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on November 24, 2020.

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2020-187.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-187 was approved.

**Resolution R2020-188**      Action on Request for Release of Performance Guarantee by Arco Design/Build Industrial for Exeter Property Group

**RESOLUTION R2020-188  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Michael Floyd of Archer Attorneys at Law, requested by letter dated September 25, 2020, a release of the performance guarantees being held by the Township for Project Terra, Exeter Wyckoff Mills Urban Renewal, LLC 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 October 1, 2020, 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. #800002117 issued by Atlantic Specialty Insurance Company in the amount of \$1,763,441.93 and cash guarantee in the amount of \$195,937.92 upon the posting of a two year maintenance bond in the amount of \$979,689.96 and inspection escrow of \$2,500.00 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 Michael Floyd of Archer Attorneys at Law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on November 24, 2020.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2020-188.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-188 was approved.

#### **APPLICATIONS:**

New Jersey Fireman's Association Membership Application for Gino Esposito

It was MOVED by Rosenberg, SECONDED by Lippman to approve Gino Esposito's New Jersey Fireman's Association Membership Application.

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

There being seven (7) ayes, and no (0) nays, Gino Esposito's New Jersey Fireman's Association Membership Application was approved.

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

Council Member Rosenberg reported the Commission on Aging met on November 19 via Zoom and COVID information was provided to the seniors regarding the health emergency. Council Member Shapiro reported the Planning Board met via Zoom on November 23 and discussions took place regarding the McDonald's and Windsor Pointe, both hearings were carried to the next meeting. Council Member Daniels reported the Health Advisory Board met on November 12 via Zoom and discussed COVID and members requested updates be provided to the community. She also stated the meeting was poorly attended by the members and is hoping that more members attend the next meeting.

#### **CORRESPONDENCE:**

#### **APPOINTMENTS:**

#### **APPROVAL OF BILLS:**

Mayor Mironov stated a 2020 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 the Exeter Road bill and if it should be paid through the Capital account when there is a grant for the project. The Township Manager explained that it is charged to the proper account. Mayor Mironov requested more information on the first bill on the Capital account and what is absorbed through the process. Mayor Mironov stated the TIP bills should be held and not to be paid until the results come back on the tests. She also requested information on the tests once they come in.

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

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

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

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

Mayor Mironov stated a ceremony was done at the senior center but she is not sure how clear the photos are and new photos may have to be taken. Mayor Mironov stated the Township went out for permanent financing for \$11,550,000 bond in addition six bids were received, the winning bid being 1.22% and Standard and Poor's reported an A+ rating for the Township. Mayor Mironov also stated the following was provided to Mayor and Council: a Tax Collector's report dated November 19; a notification from East Windsor Regional School District regarding virtual classes being extended through mid-January; a letter, dated November 16, from New Jersey Department of Transportation awarding the Township \$530,000 grant for the road project in Cranbury Manor; and a letter, dated November 17, sent on behalf of the Twin Rivers Trust regarding stripping. Mayor Mironov further asked if staff could look into the request and if nothing is able to be done then a response needs to be provided to them. A letter, dated November 18, from Mercer County was received regarding the termination of the Health Agreement on

December 31; an eligibility letter from Delaware Valley Regional Planning Commission on the CMAQ grant for the Probasco Road bypass was received; an email was also received from Mercer County regarding the shared services agreement between the Township and Mercer County for a Bioterrorism agreement and staff needs to provide a recommendation to Mayor and Council; a letter was received from PSE&G regarding vegetation issues and staff needs to provide Mayor and Council with information on what needs to be done; Exeter Road status as to why it did not move forward and when Mayor and Council can expect for the road project to go out to bid; an update on Shagbark Lane; status on the Shoppes of East Windsor; the Manager's office look into the information regarding the LEAP grants and how the Township can proceed; staff look into the plastic bag ban bill and the Township Attorney needs to provide a status update on Magnolia Ridge. Mayor Mironov also requested that staff reach out to the resident regarding the line of sight at the intersection of Probasco Road and Wyckoff Mills Road and provide them with information. Mayor Mironov requested that the Animal control letters be prepared for the various towns.

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

##### **1. East Windsor Township Reorganization Meeting**

Mayor Mironov asked Council how they are looking to conduct the Reorganizational meeting for 2021. Mayor and Council agreed that due to the health emergency, a virtual event would be the best option this year. Mayor Mironov stated staff should think of some fun events to incorporate into the meeting and provide suggestions. Mayor Mironov asked for Council Members to look at their calendars to determine a good date and time to have the event.

##### **2. Vacant Parcel at 64 Woodside Avenue (Block 22, Lot 48)**

Mayor Mironov questioned if purchasing the property now versus in three months makes a difference with the timing. She also questioned and requested more information on the minimum bid amount that was suggested in the bid. Council Member Zoller questioned if the lot is buildable. The Township Manager stated it is a residential buildable lot. The Township Attorney stated with the current market he suggested putting it on the market. Mayor Mironov requested that the bid documents need to be looked over very carefully before anything goes out.

##### **3. Township Dispatch Communication Services**

Mayor Mironov reported that the notice and the specifications have been released for Dispatch Communication Services with a return date of December 22, 2020. She stated a committee will be formed under the competitive contracting guidelines well before the existing contract expires.

##### **4. East Windsor Senior Center Expansion Project: Architect Requested Written Project Plan, Contract Bid Award Matters**

Mayor Mironov reminded Council Members of the deduct option that was included in the bid submitted for the project and stated the architect will be providing a letter regarding the recommendation on the deduct options. She stated the project is moving along and she requested that the architect continue moving on the project by providing Mayor and Council with a plan to complete the project within the

time specified. She requested that staff draft a letter for her signature to the architect requesting in writing a plan for the completion of the project as they indicated in the bid proposal.

It was MOVED by Yeager, SECONDED by Zoller for the Township Manager to draft a letter requesting a plan and components for the completion of the senior center project.

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

There being seven (7) ayes and no (0) nays, Council approved for the Township Manager to draft a letter requesting a plan and components for the completion of the senior center project.

**MATTERS BY PUBLIC:** No one from the public spoke.

**ADJOURNMENT:**

Next Meeting: December 8, 2020

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Kelly Lettera  
Municipal Clerk

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Janice S. Mironov  
Mayor