

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday March 24, 2020

5:30 p.m.

MINUTES

CALL TO ORDER:

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

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on March 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 virtually by Township Attorney David Orron.

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.

Mayor Mironov stated due to current circumstances, all meetings will be held by teleconference until further notice.

PRESENTATIONS & PROCLAMATIONS:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

November 26, 2019

Mayor Mironov stated the November 26, 2020 and February 19, 2020 minutes were held pending revisions.

December 17, 2019

January 14, 2020

January 28, 2020

February 11, 2020

February 19, 2020 Budget Minutes

February 25, 2020

March 10, 2020

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

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance 2020-02 An Ordinance to Exceed the Municipal Budget Appropriation Limits to Establish a Cap Bank

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY, NEW JERSEY**

ORDINANCE NO. 2020-02

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of East Windsor in the County of Mercer finds it advisable to permit an increase of its CY 2020 budget by up to 3.5%, if necessary, over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a an increase of up to 1.0 % increase in the budget for said year, amounting to \$187,203.89 in excess of the increase in final

appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized herein that is not appropriated as part of the final CY 2020 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

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

I

1. In the CY 2020 budget year, the final appropriations of the Township of East Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$655,213.62 and that the CY 2020 municipal budget for the Township of East Windsor be approved and adopted in accordance with this ordinance; and,

2. Any amount authorized herein that is not appropriated as part of the final CY 2020 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

3. A certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction.

4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with said Director within 5 days after such adoption.

II

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

III

SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

IV

EFFECTIVE DATE

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

Mayor Mironov stated Ordinance 2020-02 is an Ordinance to establish a cap bank. She stated the Ordinance is done annually and is not a spending Ordinance but is an authorization to bank the increase we are not spending up to 3.5%.

It was MOVED by Yeager, SECONDED by Zoller to approve Ordinance 2020-02 on introduction, authorize publication as required by law and set public hearing for April 7, 2020.

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

There being seven (7) ayes and no (0) nays, Ordinance 2020-02 was approved on introduction, authorize publication as required by law and set public hearing for April 7, 2020.

RESOLUTIONS:

Resolution R2020-041 Award of Contract for Leaf Disposal with Mendies Farm LLC for the Public Works Department

RESOLUTION R2020-041 EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there is a need for a site for leaf disposal for the fall/winter 2020 season;
and

WHEREAS, a Notice to Bidders was issued and posted/advertised on January 7, 2020 and two bids were received for the disposal of leaves by the Municipal Clerk's Office on February 12, 2020; and

WHEREAS, the lowest bid received was from Mendies Farm LLC, at \$3.00 per cubic yard; and

WHEREAS, the Township Council has reviewed the recommendation of the Director of Public Works on the bids; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in the Budget line item appropriation account specified as 0-30-32-305-300-237, pending adoption of the 2020 budget, entitled "Disposal Fees," in the amount of \$45,000, as evidenced by the Chief Financial Officer's Certification No. G2020-02.

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 the disposal of leaves collected by East Windsor Township is awarded to Mendies Farm LLC, 65 North Rochdale Avenue, Roosevelt, New Jersey 08555, at \$3.00 per cubic yard, in an amount not to exceed \$45,000, upon receipt of a fully executed contract and all other required documents.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for same.

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 March 24, 2020.

Mayor Mironov stated Resolution R2020-041 was held at a previous Council meeting due to a clarification pertaining to prior expenditures. Mayor Mironov stated an additional memo was provided by the Director of Public Works with the additional information, although she requested that in the future the information be provided in the initial memo.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2020-041.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-041 was approved.

Resolution R2020-042 Authorizing Purchase of 20' Water Tight Sea Storage Container from Jake Containers for Department of Public Works

Mayor Mironov stated Resolution R2020-042 was held at the previous Council meeting awaiting further clarification. She stated a follow-up memo was provided by the Director of Public Works clarifying that the storage containers will be placed at the Public Works Garage. Mayor Mironov requested to continue to hold the Resolution in order to take a look at the Public Works yard and the location of the current storage containers. Mayor and Council agreed to hold Resolution R2020-042 until the next regularly scheduled Council meeting.

[NOTE: Due to the size of Resolution R2020-051 and R2020-052, the Budget Resolutions are listed on the East Windsor Website as required by law.]

Resolution R2020-051 Introduction of the 2020 Municipal Budget

Mayor Mironov stated the Township Manager provided Mayor and Council with a memo, dated March 18, listing the adjustments that were made in follow-up with the workshop sessions that were conducted. She further stated those adjustments are included in Resolution R2020-051 which is up for introduction. Mayor Mironov continued by saying the budget proposes appropriations for 2020 of \$22,521,600, which is an increase of \$84,426 or .37% over the 2019 budget. She stated the 2020 budget maintains the same municipal tax rate as 2019 at .4329% per \$100 of assessed valuation and has done so for eight consecutive years with no tax increase. She stated the average current residential assessment for 2020 municipal tax is \$1120, which is identical to the 2019 budget. Mayor Mironov stated the Municipal Budget contains additional funds allocated for the health department and other extra expenses associated with the current CoVID-19 circumstances. She further stated that the Township 2020 tax base has increased by over \$5 million dollars, generating new revenue with the addition of several new stores and additional pharmaceutical space. She continued by stating that East Windsor's municipal component of the total local property tax bill remains at less than 15%, and is among the lowest amounts in the entire region and well below the statewide average. Mayor Mironov stated that the 2020 municipal budget is the result of continued cost savings and revenue generating measures, as well as reflecting that East Windsor has been highly pro-active and successful in supporting and expanding existing businesses and attracting new commercial ratables. She stated, East Windsor has worked hard to keep our spending levels tight and continually seek out additional efficiencies, cooperative purchasing avenues and service sharing opportunities, and maintained a very low debt level. She continued stating that the positive outcome results from the pro-active efforts of the Township carefully planning and closely monitoring the expenditures and revenues throughout the year.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2020-051 and set the date of the municipal budget public hearing for April 21, 2020.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-051 was approved and set the date of the municipal budget public hearing for April 21, 2020.

Resolution R2020-052 Introduction of the 2020 Garbage District No. 1 Budget

Mayor Mironov states this accompanies the budget document with no increase. She also stated a memo was provided to Mayor and Council from the Township Manager, dated March 12, 2020, clarifying questions that arose from the budget workshop.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2020-052 and set the date of the Garbage District 1 budget public hearing for April 21, 2020.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-052 was approved and set the date of the Garbage District 1 budget public hearing for April 21, 2020.

Resolution R2020-053A Waiving Participation in the New Jersey Division of Local Government Services Budget Self Examination Program and Requesting Review of 2020 Municipal Budget by New Jersey Division of Local Government Services

Mayor Mironov questioned if the 2020 budget process is the same as in previous years due to employees down at the state working remotely due to the pandemic. The Township Manager stated that the Finance Director reached out to the state and they stated that the review process will take longer than usual this year due to the unfortunate circumstances that has arisen and the state employees working remotely. Mayor Mironov stated unlike in prior years, she is inclined to have East Windsor do a self-examination of the budget so that there is no delay in adopting the East Windsor budget on April 21, 2020.

Mayor and Council unanimously decided to support and participate in the self-examination program for 2020.

Resolution R2020-053B Authorizing Township to Participate in New Jersey Division of Local Government Services Budget Self Examination Program

**RESOLUTION R2020-053
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Township of East Windsor has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2020 budget year; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of East Windsor that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's Certification, dated March 24, 2020, attached hereto and incorporated in this Resolution, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures

- c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
- 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the “CAP” law.)
 - 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
 - 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriation are properly set forth;
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
 - 5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
 - 6. That all other applicable statutory requirements have been fulfilled.
 - 7. A copy of this Resolution be forwarded to the Director of the Division 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 March 24, 2020.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2020-53B.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-053B was approved.

[NOTE: Mayor and Council voted on Resolution R2020-054, Resolution R2020-055 and Resolution R2020-056 in block form.]

Resolution R2020-054 Approval of Agreement with Northgate Tenants Association for Reimbursement for Private Community Services for 2019

**RESOLUTION R2020-054
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Northgate Tenants Corporation wish to enter into an Agreement for private community services for the year 2019 in the amount of \$1,834.07, 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. 0-01-26-325-802-253 entitled "Condo Services", in the amount of \$1,834.07, as evidenced by the Chief Financial Officer's Certification No. B2020-15.

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 2019 in the amount of \$1,834.07 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached 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 March 24, 2020.

[NOTE: Mayor and Council voted on Resolution R2020-054, Resolution R2020-055 and Resolution R2020-056 in block form.]

Resolution R2020-055 Approval of Agreement with Windsor Mill Condominium Association for Reimbursement for Private Community Services for 2019

**RESOLUTION R2020-055
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 2019 in the amount of \$12,473.78, 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. 0-01-26-325-802-253 entitled Condo Services, in the amount of \$12,473.78, as evidenced by the Chief Financial Officer's Certification No. B2020-16.

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 2019 in the amount of \$12,473.78 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached 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 March 24, 2020.

[NOTE: Mayor and Council voted on Resolution R2020-054, Resolution R2020-055 and Resolution R2020-056 in block form.]

Resolution R2020-056 Approval of Agreement with Stonegate Homeowners Association for Reimbursement for Private Community Services for 2019

**RESOLUTION R2020-056
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Stonegate Homeowners Association wish to enter into an Agreement for private community services for the year 2019 in the amount of \$2,673.55, 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. 0-01-26-325-802-253 entitled Condo Services, in the amount of \$2,673.55, as evidenced by the Chief Financial Officer's Certification No. B2020-17.

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 2019 in the amount of \$2,673.55 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached 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 March 24, 2020.

The Township Attorney David Orron stated given that the Kelly Bill reimbursements are determined by a formula applicable to all residents and communities equally, Council Members who reside in those communities are permitted to vote.

It was MOVED by Yeager, SECONDED by Lippman to approve Resolutions R2020-054, R2020-055 and R2020-056.

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

There being seven (7) ayes, and no (0) nays, Resolutions R2020-054, R2020-055 and R2020-056 were approved.

Resolution R2020-057 Authorizing Transfers Among the 2019 Budget Appropriations

RESOLUTION R2020-057
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, N.J.S.A. 40A:4-59 provides for appropriation transfers during the first (3) months of any fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore, and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey,
no less than two-thirds of the full majority concurring, that the Chief Financial Officer is hereby authorized to make transfers among the 2019 municipal budget appropriation reserves in accordance with the following:

CURRENT FUND	FROM	TO
Rescue Squad 1	\$12,199.67	
Volunteer Fire Company #1		\$5,143.18
Rescue Squad EWT (#2)		\$7,056.49
<u>Total Current Fund</u>	<u>\$12,199.67</u>	<u>\$12,199.67</u>

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 March 24, 2020.

Mayor Mironov stated legally this is the last time we are able to transfer funds for current year. She stated a memo was provided to Mayor and Council by the Director of Finance and the Township Manager recommending the transfer of those funds.

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2020-057.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-057 was approved.

Resolution R2020-058 Approval of Purchase of Replacement Turn-Out Gear from Municipal
Emergency Services for East Windsor Volunteer Fire Company No. 1

RESOLUTION R2020-058
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase turn-out gear, (structural firefighting boots and helmet shields) for the East Windsor Volunteer Fire Company No. 1; and

WHEREAS, one quote was obtained to provide this replacement turn-out gear; and

WHEREAS, the cost proposal was submitted by Municipal Emergency 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 Township Manager's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$616.89 and funds are available in Account No. C-04-55-980-919-541 entitled Ordinance 2016-08, entitled "FC#1 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No.C2020-006.

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: Municipal Emergency Services, 66 Firemens Way, Poughkeepsie, NY 12603, for one pair of Pro-Warrington Structural turnout boots in the amount of \$361.48 and three helmet turnout shields in the amount of \$257.41, for a total amount not to exceed \$618.89, for the East Windsor Volunteer Fire Company No. 1, Inc., all in accordance with the attached quote.

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

Mayor Mironov stated a memo was provided to Mayor and Council, dated March 11, 2020, with the recommendation by the Township Manager and the Chief of East Windsor Volunteer Fire Company No. 1, Inc.

It was **MOVED** by Yeager, **SECONDED** by Daniels to approve Resolution R2020-058.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-058 was approved.

APPLICATIONS:

New Jersey Fireman's Association Membership Application for Carl T. Woodward

It was **MOVED** by Lippman, **SECONDED** by Shapiro to approve New Jersey Fireman's Association Membership Application for Carl T. Woodward.

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

There being seven (7) ayes, and no (0) nays, New Jersey Fireman's Association Membership Application for Carl T. Woodward was approved.

REPORTS BY COUNCIL AND STAFF:

No reports by Council and staff.

CORRESPONDENCE:

Mayor Mironov reported that on March 19, 2020 a state of emergency declaration was issued, which is consistent with the practices and approaches, under the current state emergency situation.

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 current 2020, page 4, bill for Fire Company No.1 asking if the bill is an expense or a capital item. The Township Manager stated he will look into it and get back to Mayor and Council with the answer to the question. Mayor Mironov requested to hold the bill pending clarification.

It was MOVED by Yeager, SECONDED by Zoller to approve the Bill Lists with the clarification.

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

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

MATTERS BY COUNCIL:

No Matters by Council.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2020 Summer Concerts and Events

Mayor Mironov stated she is hopeful that there will be a summer program, considering the current emergency situation but that there may be a bit of a struggle this year with businesses providing donations for the events. She further stated the importance of whatever is scheduled that the Township is able to get out of due to the current health emergency. Council Member Yeager stated if the budget allows this year, he would like all four of the previously spoken about bands to be scheduled for summer concerts. Council Member Daniels stated she is also in favor of all four bands but if one had to be removed she thought it should be Gathering Time. Council Member Lippman and Rosenberg agreed to move forward with all four bands. Council Member Rosenberg stated when staff is scheduling the events he would like to ensure with the vendor that the Township is able to get a refund if need be. Mayor Mironov stated she wants to ensure whatever contracts are signed that we will be able to get out of the contract without any penalty or cost to the Township. Mayor Mironov stated, based on Council comments, she would like staff to move forward in scheduling the four bands as well as a possible family night. Mayor Mironov requested that staff get a full calendar together and she would help raise fund for the costs.

2. AARP Community Challenge 2020 Grant

Mayor Mironov stated the grant agreement was extended and she expressed interest to apply for the grant for the possibility of outdoor furniture for the senior center expansion. She further stated the application needs to be reworked but thinks it is a great idea and would like to move forward with the process.

Resolution R2020-059 Approving Filing of AARP Community Challenge Grant
Application for Outdoor Amenities for the Senior Center

RESOLUTION R2020-059
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, AARP is soliciting grant applications under the AARP Community Challenge 2020 to fund “quick action” projects that improve and make the community more livable for people of all ages; and

WHEREAS, East Windsor Township desires to submit an application for financial assistance to improve East Windsor Township’s Senior Center with outdoor recreational furniture.

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 electronic application on behalf of East Windsor Township to the AARP Community Challenge 2020 for one octagon shaped wooden gazebo with two benches, four picnic tables, four umbrellas and seven engraved brass plates to acknowledge AARP grant funded.
2. The Mayor is hereby authorized to sign the grant agreement 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.

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 March 24, 2020.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2020-059 with the revisions to the application.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-059 was approved with the revisions to the application.

3. Interlocal Services Agreement for Senior Services/Senior Center Agreement with Borough of Hightstown

Mayor Mironov stated a memo with a proposed agreement that was provided to Mayor and Council from the Township Manager for the proposed costs for the senior center with Hightstown Borough for the upcoming year. Mayor Mironov stated the service is something that has been provided to Hightstown Borough for a number of years and every year staff looks at the participation percentages along with the upcoming costs. She stated a memo was provided by the Township Manager for review to Mayor and Council with the upcoming agreement information. Council Member Zoller and Yeager stated they agree with the upcoming charges based off the proposed usage for the upcoming year. Mayor Mironov requested that a letter be prepared to Hightstown Borough Mayor in order to sign the Interlocal Services Agreement. She stated then upon return, East Windsor will then add to the agenda for action.

4. Township Open Space Property Acquisitions

Mayor Mironov stated the Township is close to agreeing on a purchase price within the next couple of days for the Open Space Property Acquisitions. She stated property A. was listed based off a purchase price and due to Green Acres rules, an assessment needs to take place. Mayor Mironov stated a request for proposals did go out and a recommendation memo was provided by the Assistant Township Manager. Mayor Mironov stated the first paragraph needed to be revised.

A. 104 Disbrow Hill Road (Block 32, Lot 5)

Resolution R2020-060

Award of Professional Services Agreement with T & M Associates for Green Acres Funded Open Space Property Acquisitions for 104 Disbrow Hill Road (Block 32, Lot 5)

RESOLUTION R2020-060

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township is considering acquisition of the property located at 104 Disbrow Hill Road (Block 32, Lot 5) to preserve as open space; and

WHEREAS, on February 19, 2020, the Township solicited and posted a request for proposals notice and on March 10, 2020, received three (3) proposals for Professional Services to Prepare Preliminary Assessment Reports (PAR) related to Green Acres Funded Property Acquisitions for 104 Disbrow Hill Road (Block 32, Lot 5); and

WHEREAS, the most responsive proposal was received from T&M Associates; and

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

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

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

WHEREAS, the maximum amount of the contract is \$2,500.00 and funds are available in the Account No. T-13-56-857-802, entitled Reserve for Open Space, as evidenced by the Chief Financial Officer's Certification No. T2020-005.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to enter into the attached Agreement with T&M Associates, 40 Monmouth park Highway, Suite 2, West Long Branch, NJ 07764, to prepare a preliminary assessment report for the property located at 104 Disbrow Hill Road (Block 32, Lot 5) in an amount not to exceed \$2,500.00.
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.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

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

[NOTE: Resolution R2020-060 reflects the revisions requested.]

It was **MOVED** by Zoller, **SECONDED** by Yeager to approve Resolution R2020-060 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-060 was approved with the revisions.

B. Other Open Space Acquisitions: Status

Mayor Mironov requested an assessment status on the Bennett and Riggensbach properties from the Assistant Township Manager. She also requested an update on the 605 Etra Road project and requested that the Township Manager provide more insight on other potential open space properties for additional green acre funding.

MATTERS BY PUBLIC:

No Matters by Public.

ADJOURNMENT:

Mayor Mironov thanked the Council and hoped everyone stays home, healthy and well through the pandemic and she further stated she will continue to support the community through these tough times.

Next Meeting: April 7, 2020

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor