

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday April 21, 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, April 21, 2020.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on April 17, 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 Manager James Brady.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Yom Hashoah – Day of Remembrance of the Holocaust (April 20, 2020)

Mayor Mironov stated yesterday was Yom Hashoah, a day of remembrance for the Holocaust. She stated proclamations went out to all the local synagogues in observance of the observance.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Mayor Mironov stated an application was received from a young student, but due to the health emergency, the interview will be scheduled at a later date.

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

November 26, 2019

Mayor Mironov stated the minutes were held at the previous Council meeting pending revisions.

It was **MOVED** by Yeager, **SECONDED** by Rosenberg to approve the November 26, 2019 Council meeting minutes with the revisions

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

There being five (5) ayes, no (0) nays and one (1) abstention, the November 26, 2019 minutes were approved with the revisions.

January 14, 2020

Mayor Mironov held the minutes of January 14, 2020 due to remaining revisions to pages 4, 12, 15, 16 and 17.

February 19, 2020 Budget Minutes

It was MOVED by Yeager, SECONDED by Shapiro to approve the February 19, 2020 Budget Minutes.

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

There being five (5) ayes, no (0) nays and one (1) abstention, the February 19, 2020 Budget Minutes were approved.

December 17, 2019
January 28, 2020
February 11, 2020
February 25, 2020
March 10, 2020
March 24, 2020
April 7, 2020

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

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance 2020-05 An Ordinance to Authorize Acquisition for Open Space of Property Located
At 104 Disbrow Hill Road and Designated on the East Windsor Township
Tax Map as Block 32, Lot 5

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

ORDINANCE NO. 2020-05

AN ORDINANCE TO AUTHORIZE ACQUISITION FOR OPEN SPACE OF AN APPROXIMATELY 3.64 ACRE SITE, LOCATED AT 104 DISBROW HILL ROAD, AND DESIGNATED ON THE EAST WINDSOR TOWNSHIP TAX MAP AS BLOCK 32, LOT 5

WHEREAS, the Township Council of the Township of East Windsor has determined that it is in the best interests of the Township to acquire an approximately 3.64 acre parcel of land located at 104 Disbrow Hill Road, and designated on the East Windsor Township Tax Map as Block 32, Lot 5 (the "Property"), for use as open space; and

WHEREAS, the Property is presently owned by Henry S. Estenes (the "Owners"), residing at 21 Rockdale Avenue, Roosevelt, NJ 08555; and

WHEREAS, an Agreement of Sale, between East Windsor Township and the Owners, has been negotiated with a purchase price of \$84,000.00 for the Property; and

WHEREAS, the Township has been awarded New Jersey Green Acres Program grants and Mercer County Open Space grants to fund the purchase of the 3.64 acre Property.

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

The Mayor, Municipal Clerk, Township Manager, Township Engineer and Township Attorney be and are hereby authorized to take all necessary actions to acquire an approximately 3.64 acre parcel of land located at 104 Disbrow Hill Road, and designated on the East Windsor Township Tax Map as Block 32, Lot 5, for use as open space, pursuant to the Agreement of Sale between the Owners and the Township of East Windsor. This authorization includes, but is not limited to, the execution of an Agreement of Sale with a purchase price of \$84,000.00, payment of the contract purchase price, and the acceptance and recording of a Deed to the Property.

**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 20 days after final passage and publication according to law.

Mayor Mironov stated the Township came to terms to purchase the property for \$84,000 and are awaiting the signed contracts. She stated in the contract it allows the seller to farm for up to five additional years at a \$1.00 per year. She stated the assessment needs to move forward but the survey will be held for now until the Township receives the assessment report back.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Ordinance 2020-05 on introduction, authorize publication as required by law and set public hearing for May 19, 2020.

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

There being six (6) ayes and no (0) nays, Ordinance 2020-05 was approved on introduction, authorize publication as required by law and set public hearing for May 19, 2020.

RESOLUTIONS:

[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 Adoption of the 2020 Municipal Budget

Mayor Mironov stated the budget was introduced at the March 24 Council meeting and the public hearing was set for tonight. She stated the Township decided to do a self-examination of the budget this year and the Finance Director has approved the budget for adoption. Mayor Mironov declared the public hearing open on Resolution R2020-051. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Yeager, SECONDED by Shapiro to adopt Resolution R2020-051 and authorize publication as required by law.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-051 was adopted and authorized publication as required by law.

Mayor Mironov stated that the adopted 2020 East Windsor Municipal Budget again contains no tax increase. She stated the 2020 municipal tax rate component remains the same for eight consecutive years, at the rate of 43 cents per \$100 of assessed valuation for the years 2013 through 2020. She stated for the average current residential assessment of \$258,747, the 2020 municipal tax is \$1,120. 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 stated it is a fiscally conservative budget document which well serves the community and retains all existing service levels. She further

stated East Windsor has worked hard to keep spending levels tight and continues to seek out additional efficiencies, cooperative purchasing avenues and service sharing opportunities, all while maintaining a very low debt level. She continued stating the positive outcome results from the pro-active efforts of the Township to carefully plan and to closely monitor expenditures and revenues throughout the year.

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

Mayor Mironov stated the budget was introduced at the March 24 Council meeting and public hearing was set for tonight. Mayor Mironov declared the public hearing open on Resolution R2020-052. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Yeager, SECONDED by Shapiro to adopt Resolution R2020-052 and authorize publication as required by law.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-052 was adopted and authorized publication as required by law.

Resolution R2020-067 Approving the Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

RESOLUTION R2020-067
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and

hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 April 21, 2020.

Mayor Mironov stated the Resolution is a requirement to certify compliance with the Equal Employment Opportunity Commission in order to adopt the budget and all members must sign the acknowledgement. The Municipal Clerk will make arrangements for Mayor and Council to sign the certification.

It was MOVED by Rosenberg, SECONDED by Daniels to approve Resolution R2020-067.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-067 was approved.

Resolution R2020-068 Approval of Shared Service Agreement with Hamilton Township for Provision of Various Professional Health Clinic and Health Education Services

**RESOLUTION R2020-068
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township of East Windsor desires to provide certain health services for residents for 2020; and

WHEREAS, the Township of Hamilton is agreeable to providing STD clinic services and health education services to the Township of East Windsor for a fee and upon certain specified conditions as described in the attached agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes any municipality to enter into a contract with any other municipality 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 \$5,000.00, and funds are available in the Current Fund Account No. 0-01-27-330-604-249 entitled “Licensed Professional”, as evidenced by the Chief Financial Officer’s Certification No. B2020-019.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement entitled “Shared Services Agreement for Health Services

Township of Hamilton and Township of East Windsor” for a term of January 1, 2020 through December 31, 2020.

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 April 21, 2020.

Mayor Mironov stated that Hamilton sent the agreement to East Windsor Township for approval. She stated Hamilton Township approved the agreement at their February 4 Council meeting and all costs are the same as last year.

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Resolution R2020-068.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-068 was approved.

Resolution R2020-069 Approving Certification to Comply with Requirements of N.J.A.C. 7:26A-11 for the Filing of 2019 Recycling Tonnage Grant Application and Expenditure Report

**RESOLUTION R2020-069
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of East Windsor Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling requirements; and

WHEREAS, such a resolution should designate the individual authorized to ensure the certification to comply with requirements in N.J.A.C. 7:26A-11 is properly completed and timely filed.

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. East Windsor Township hereby endorses the submission of the 2019 recycling tonnage grant certification to comply with the requirements in N.J.A.C. 7:26A-11 and New Jersey Department of Environmental Protection and designates certified Recycling Coordinator, Richard Brand to ensure that the requirements are properly filed.
2. The monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
3. The Mayor is hereby authorized and directed to execute the attached Certification.

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 April 21, 2020.

Mayor Mironov stated an additional memo, from the Administrative Assistant of Public Works, was provided containing the 2020 submission amounts and certification that the Township complies. Mayor Mironov requested her name to be added to the certification signature line.

It was MOVED by Shapiro, SECONDED by Daniels to approve Resolution R2020-069 with the revisions.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-069 was approved with the revisions.

Resolution R2020-070 Approval of Contracts for Tax Assessment Computer System with BRT Technologies for the Tax Assessor's Office

RESOLUTION R2020-070
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for data processing services for the Tax Assessor's Office; and

WHEREAS, BRT Technologies is the Mercer County Tax Board's sole tax assessment software provider beginning March 1, 2020; and

WHEREAS, the Township Council has reviewed the Township Manager and Tax Assessor's recommendation on this purchase; 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 maximum amount of the contract is \$11,400.00 and funds are available in the 2020 Current Fund Account No. 0-01-20-140-140-245, entitled "Data Processing", as evidenced by the Chief Financial Officer's Certification No. B2020-020.

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 contract with BRT Technologies, LLC, 22 Birchwood Lane, Mantua, NJ, 08051, for the Powercama and MOD IV data processing services in the amount of \$11,400.00, for term beginning of May 1, 2020 through April 30, 2021, for the Tax Assessor Office.

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 April 21, 2020.

Mayor Mironov stated a recommendation was provided by the Township Manager, on behalf of the Tax Assessor, to change the program to sync with the program the County uses. She stated the Resolution and the agreement need to be changed to one year, which was previously discussed by staff.

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2020-070 with the revision.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-070 was approved with the revision.

Resolution R2020-071 Approval for Repairs to HVAC System in Police/Court Building with SG Heating and Air Conditioning

**RESOLUTION R2020-071
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for repairs to the HVAC System in Police/Court Building;
and

WHEREAS, three quotes were obtained to provide this service, one retracted their quote due to current health issues; 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 recommendation on the needed repairs; and

WHEREAS, the maximum amount for the repairs to the HVAC System in Police/Court Building is \$10,107.00 and funds are available in Capital Fund Account No. C-04-55-970-918-424 entitled Ordinance 2015-09 "HVAC Improvements", as evidenced by the Chief Financial Officer's Certification No. C2020-008.

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 Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to SG Heating & Air Conditioning LLC, 50 Cunningham Avenue, Hamilton, NJ 08610, for labor and repairs to the Trane Chiller SN U16L06683 HVAC System in Police/Court Building, in an amount not to exceed \$10,107.00, all in accordance with the attached quotes.

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 April 21, 2020.

Mayor Mironov stated three quotes are required on all purchases but only two quotes were obtained and provided. She further requested clarification on the age of the HVAC system as well as the required additional third quote included in the memo. She stated she will conditionally approve the Resolution with the required additional quote and clarification on the age of the HVAC system.

It was MOVED by Shapiro, SECONDED by Rosenberg to conditionally approve Resolution R2020-071 subject to the conditions.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-071 was conditionally approved subject to the condition.

Resolution R2020-072 Approval of Purchase of Replacement Turn-Out Gear from SAFE-T for East Windsor Volunteer Fire Company No. 1

**RESOLUTION R2020-072
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase replacement turn-out gear, (coats and pants) for the East Windsor Volunteer Fire Company No. 1; and

WHEREAS, three (3) quotes were obtained to provide this replacement turn-out gear;
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. #17-Fleet-00810 which is valid through November 14, 2020; and

WHEREAS, the Township Council has reviewed the Township Manager's and the East Windsor Volunteer Company No. 1 Fire Chief's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$15,063.60 and funds are available in Account No. C-04-55-980-923-531 entitled Ordinance 2019-01, entitled "FC#1 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No.C2020-009.

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, New Jersey 07457, for five (5) Morning Pride turnout coats in the amount of \$1,789.78 each and five (5) Morning Pride turnout pants at \$1,222.94 each, for a total amount not to exceed \$15,063.60, 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 April 21, 2020.

Mayor Mironov requested that East Windsor Fire Company No. 1 Chief is added into paragraph 6 of the Resolution.

[NOTE: The change requested is reflected in the above Resolution.]

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2020-072 with the revision.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-072 was approved with the revision.

Resolution R2020-073 Approval of Professional Services Agreement for Township Auditors with Nisivoccia and Company, LLP

RESOLUTION R2020-073
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for Auditing and Accounting Services, covering the period of January 1, 2020 through December 31, 2020, for the Township of East Windsor; and

WHEREAS, on October 7, 2019, the Township solicited proposals and received two (2) proposals by the receipt date of November 7, 2019 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 \$38,407.00 and funds are available in the Current Fund Account No. 0-01-20-135-203-249 entitled "Current Fund- Audit & Accounting" in the amount of \$34,407.00 and Current Fund Account No. 0-30-26-305-150-249 entitled "Garbage District-Audit & Accounting Services," in the amount of \$4,000.00, in an total amount not t exceed \$38,407.00, as evidenced by the Chief Finance Officer's Certification No. B2020-021.

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, covering the period of January 1, 2020 through December 31, 2020, in an amount not to exceed \$38,407.00.
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 Agreement 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 April 21, 2020.

Mayor Mironov requested that the term is added to the Resolution and the agreement.

It was MOVED by Shapiro, SECONDED by Daniels to approve Resolution R2020-073 with the revisions.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-073 was approved with the revisions.

Resolution R2020-074 Approval of Installation of New Water Line for Fire Suppression System
for Municipal Building by Waters & Bugbee

RESOLUTION R2020-074
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, an emergency has arisen regarding the immediate need for the installation of a new water line for the fire suppression system serving the Municipal Building following an unexpected water line break; and

WHEREAS, an emergency contract pursuant to N.J.S.A. 40A:11-6, may be awarded without public advertisement for bids and bidding as the lack of a water supply for the municipal building fire suppression system created an emergency affecting the public health and safety requiring the immediate reactivation of the fire suppression system; and

WHEREAS, pursuant to the New Jersey Local Public Contracts Law, specifically N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, the Township Manager has transmitted and certified the existence of an emergency purchasing need including actual emergency, the need for purchase could not have been reasonably foreseen, and the contract is limited to meet the immediate needs of the emergency, which is attached and incorporated in this Resolution; and

WHEREAS, three (3) quotes were obtained to perform this emergency work; and

WHEREAS, Waters & Bugbee, Inc. is the overall lowest quote that includes licensed contractors who certify the new system and is the most responsible work plan; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendation which declares this to be an emergency procurement under the New Jersey Local Public Contracts Law N.J.S.A.40A:11-6 et. seq., and finding that the contract award may be made without public bidding; and

WHEREAS, the maximum amount of the purchase \$58,890.00 and funds are available in Capital Fund Account No. C-04-55-953-914-504 entitled Ordinance 2013-09 “Building Repairs” in the amount of \$3,016.96, in Capital Fund Account No. C-04-55-970-915-430 entitled Ordinance 2014-08 “General Building Improvements” in the amount of \$14,501.00, in Capital Fund Account No. C-04-55-980-919-400 entitled Ordinance 2016-08 “General Building Improvements”, in the amount of \$40,660.00, and in 2020 Current Fund Account No. 0-01-26-310-408-253 entitled “Other Contractual Services-Municipal Building” in the amount of \$712.04, as evidenced by the Chief Financial Officer’s Certification No.C2020-010.

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 Finance Officer are hereby authorized and directed to approve and forward a purchase order to Waters & Bugbee, Inc., 75 South Gold Drive, Hamilton, NJ 08691, for the purchase and installation of a new fire suppression system in an amount of \$56,950.00 plus adding the alternate Butterfly Control Valve in the amount of \$1,940.00, for a total amount not to exceed \$58,890.00, 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 April 21, 2020.

Mayor Mironov requested that the Resolution move forward but she would like the Resolution to be revised to reflect the emergency with the required certified documents attached.

[NOTE: The changes requested are reflected in the above Resolution.]

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2020-074 with the revisions and the required certified documents to be attached.

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

There being six (6) ayes, and no (0) nays, Resolution R2020-074 was conditionally approved with the revisions and the required certified documents to be attached.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF

CORRESPONDENCE:

Mayor Mironov stated correspondence will be done during Matters by Council.

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.

Mayor Mironov requested information on the East Windsor Volunteer Fire Company No 1 truck additional purchases. She also stated that all bills that require a capital purchase, a memo must be provided to Mayor and Council prior to the purchase.

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

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

There being six (6) ayes, and no (0) nays, the various presented Bill Lists were approved with the clarifications and holds.

MATTERS BY COUNCIL:

Mayor Mironov reported the following was received and copies were provided to Mayor and Council: a tax collectors report regarding receipts and disbursements for a period ending March 31, 2020; a revenue report, from the Finance Director, for period ending March 31, 2020; a memo, dated April 2, from the Executive Director of the Municipal Utilities Authority regarding notice procedures for hydrant flushing, which needs to be provided for the April 24 Enews; a memo from T & M Associates, dated April 2, updating the 2020 infrastructure fund; a memo from the Township Manager, dated April 8, regarding bill list questions from the April 7 Council meeting; correspondence was received from New Jersey Department of Transportation, dated April 13, regarding upcoming grant opportunities with a July 1 deadline. Mayor Mironov requested that staff work on draft applications for the grants and the Resolutions are to be added to the next regularly scheduled Council meeting agenda. She further reported a memo from the Director of Recreation was provided to Mayor and Council regarding concerts and events for 2020. She required that no dates are to be scheduled until the agreement that the Township Attorney and the Township Manager will be providing to the Mayor for review. Mayor Mironov requested that the terms for the 2020 Independence Day celebration are reviewed to ensure flexibility to cancel if need be. Mayor Mironov stated a memo, dated March 5, 2020, was provided from the Principal Engineering Aid of PSE&G for work that will be done on Old York Road. She stated that she requested they notify all the residents and the residents have signed off on the work that is being done. Mayor Mironov reported that PSE&G previously did digging on Brooktree Road and she wants to ensure the work is done up to the Township's standards. Mayor Mironov stated that during the 2020 budget process a memo was provided from the Director of Code Enforcement recommending an Ordinance to change Construction fees and she requested an Ordinance on an upcoming council agenda. Mayor Mironov reminded all Council Members to file their Financial Disclosure statement by April 30, 2020. Mayor Mironov stated a committee was appointed for Emergency Medical Services which will review the proposals and provide the Clerk with the signed review document. Mayor Mironov stated the Clerk provided to Mayor and Council the Executive Order extending the Liquor License renewals from June 30 to September 30, 2020. She further stated the Comcast Franchise renewal is expiring soon and she is looking for additional information on from the Township Attorney and Township Manager on this

subject. Mayor Mironov stated all meetings for the Township Board and Committees are canceled through April 20 due to the health emergency but suggested that meetings should begin on one of the various online platforms with Mayor and Clerk approval. Mayor Mironov stated she spoke with the Clerk's office and the Chairperson of the Community Gardens and she is trying to determine if the Community Gardens should be operating for 2020. She further stated she will make a decision after review of the documents provided by the Community Garden Chairperson.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2020 National Night Out

Mayor Mironov stated a notice was provided from the police department stating all 2020 National Night Out celebrations are extended till October 6 due to the health emergency. Mayor and Council all agreed to the date change due to current health conditions.

2. New Jersey Division of Highway Traffic Safety Grant Program

Mayor Mironov stated a memo was provided to Mayor and Council, dated April 10, from the Chief of Police with recommendations on the grant programs the Township should apply for. Mayor and Council suggested that all four grant program applications be filed and submitted for funding. Mayor Mironov suggested applying for the applications in the following order: solar power school zone flashers, mobile message board, child safety seat then the traffic counting device. Mayor and Council agreed to the application order for filing.

3. Open Space Acquisitions: Status

A. 641 Etra Road (Block 32, Lot 13.01)

Mayor Mironov stated the Assistant Manager left a message today stating that the final assessment report was received for 641 Etra Road and the report will be sent out to Green Acres this week for review. She further stated that the notice to proceed on the survey and title work needs to be sent out by staff.

B. 929 Windsor Perrineville Road (Block 31, Lot 21)

Mayor Mironov stated the Assistant Manager left a message today stating that the final assessment report has been received for 929 Windsor Perrineville Road and the report will be sent out to Green Acres this week for review. She further stated that the notice to proceed on the survey and title work needs to be sent out by staff.

C. 605 Etra Road (Block 32, Lots 11 and 12)

Mayor Mironov stated the owners originally stated they would be willing to give the Township the property, but after further review of their records there are some complications. The Assistant Manager will be providing further information once he receives information back from the property owners.

D. Other Potential Properties

Mayor Mironov stated a memo, dated April 15, was provided to Mayor and Council from the Assistant Manager but was a rerun of the previous memo that was provided by him. She further stated that the Township Manager provided a memo, dated February 11, with four additional properties on Ward Street. She requested follow-up on the four potential Ward Street properties and she is still looking for that additional information. Mayor Mironov stated there is an additional property located on Old York Road, which is land locked, adjacent to the Union Transportation Trail that could be of some interest to the town. She further stated that in the Thompson letter, a property was referenced that is located at the intersection of Route 33 and Airport Road, known as Block 50.03, Lot 17 (7.36 acres) which backs up to the Union Transportation Trail and she would like more information on that property on how it could benefit the town. She stated additional information, without owner contact, needs to be provided on all the properties with maps. Mayor Mironov requested that a couple serious recommendations need to be made and the properties to be listed on the next regularly scheduled agenda.

4. 2020 Municipal Capital Program

Mayor Mironov stated a packet of material including a memo, dated April 13, 2020, from the Township Manager was provided regarding the department and agencies capital budget recommendations. Mayor Mironov requested information on the road programs and a breakdown of existing projects and expected roadway needs. She further stated that the memo that was provided from the Director of Public Works was disjointed and provided no basis for the capital requests. She requested staff do a serious review of the Dutch Neck Morrison project, Exeter Roads Project and Shagbark and Charred Oak Lane projects for further consideration. Mayor Mironov requested the balance for park improvements in the capital accounts. Mayor Mironov requested further clarification on the chipper to purchase versus repairing the vehicle. She further requested more review on the Chassis truck and what the truck is used for. Mayor Mironov requested more information regarding the police vehicles and if they should be included in the current budget or the next Capital Ordinance. Council Member Yeager suggested that since the Township is in need of computers he suggested maybe looking into systems that are more remote or portable due to the current health emergency. Mayor Mironov requested that the Mercer at Play grant be taken into consideration and she stated she did not see it in the last few Ordinances. She further stated the amount of the Mercer at Play grant is \$950,000 and she asked how the funding for the addition to the senior center is going to be addressed. She asked if the addition to the senior center should be added here in the budget or if a separate Ordinance should be done. Mayor Mironov stated that two open space projects have been included but questioned if the Estenes property should also be included now. She continued by stating that all the open space purchases use the Green Acre funds and all the prior grants have been accounted for in some fashion in order to complete the purchases within the next few months. Mayor Mironov questioned if the Urban Forestry grant in the amount of \$30,000 will be included in the budget and asked for more information as to what would be involved in completing a tree survey and if it would be beneficial to the Township.

Mr. Yeager stated that for Fire Company No. 2, item number one, he would want to make sure they have a clear expectation as to the Township's involvement in the purchase. Mayor Mironov stated that she believes they do, as they have had a few meetings in the last year and they have been very cooperative

and understanding of the Township's concerns and funds. She stated that was a good and fair question and Council would be receiving a memo on that later this week.

Mayor Mironov asked Council Members for any other questions or comments. No other questions or comments were raised. The Township Manager stated he will provide Mayor and Council with a memo addressing all issues discussed.

MATTERS BY PUBLIC:

No one from the public spoke.

ADJOURNMENT:

Next Meeting: May 5, 2020

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor