

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday May 5, 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, May 5, 2020.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on May 1, 2020, amended time 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 Mr. Yeager.

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:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Mayor Mironov stated that a volunteer application was received from local student Simranjot Mann, and that she would be reaching out to him regarding his interview.

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

December 17, 2019

January 14, 2020

January 28, 2020

February 11, 2020

February 25, 2020

March 10, 2020

March 24, 2020

April 7, 2020

All minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

Ordinance 2020-03 An Ordinance Amending Chapter XX, Section 20-16 “HC Highway Commercial,” and Creating a New HC-2, “Highway Commercial 2 District,” of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2020-03
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

AN ORDINANCE AMENDING CHAPTER XX, “ZONING,” SECTION 20-16, “HC HIGHWAY COMMERCIAL,” AND CREATING A NEW HC-2, HIGHWAY COMMERCIAL 2 DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR.

WHEREAS, the 2019 Master Plan Re-examination Report was prepared by the East Windsor Township Planning Board and adopted on July 25, 2019 in accordance with New Jersey Municipal Land Use Law (MLUL); and

WHEREAS, pursuant to N.J.S.A. 40:55D-89D of the MLUL, the Planning Board identified in Section 6 Item 6 of the 2019 Master Plan Re-examination Report, that “Automobile Service Stations have evolved from smaller facilities providing fuel and vehicle services to the larger contemporary facilities featuring multiple high-volume pump islands with integrated convenience stores,” and further that “such modern Automobile Service Stations can have significantly greater vehicular activity than former stations, along with increased deliveries and potentially increased impacts to the surrounding environs that can intensify when a facility operates 24 hours, 7 days a week;” and

WHEREAS, therefore, the 2019 Master Plan Re-examination Report “recommended to limit new Automobile Service Stations to locations near major highway interchanges and arterial collector intersections along Route 130;” and

WHEREAS, to implement this recommendation, the current HC Zone is to be modified and separated into two highway commercial districts.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, as follows:

SECTION 1. Chapter XX, “Zoning,” is amended and supplemented to add a new Section 20-16A, “HC-2 Highway Commercial 2,” to read as follows:

20.16A HC-2 Highway Commercial 2.

20-16A.1 Principal Uses. All of the following uses require frontage on Route 130 or on a street which intersects with Route 130. Lots which do not fall in either category shall be limited to the uses in paragraphs d. and g. below.

- a. Retail sales of goods. Preparation, processing, storage, warehousing or manufacturing shall be permitted only if accessory to the retail sale of goods on the premises.
- b. Business establishments having as their primary function the rendering of personal services within a building. Preparation, processing, storage, warehousing or manufacturing shall be permitted only if accessory to the services rendered on the premises.
- c. Restaurants, including cocktail lounges and taverns.
- d. Offices and office buildings, including medical professional.
- e. Hotels and motels.
- f. Banks and financial institutions.
- g. Mortuaries and funeral homes.
- h. Lumber yard.
- i. Movie Theater, bowling alley and similar recreation or cultural facilities within a fully enclosed building.
- j. Commuter parking facilities.
- k. Day care centers, childcare centers, and nursery schools.

20-16A.2 Accessory Uses.

- a. Off-street parking and loading facilities.
- b. Private garages or storage buildings.

20-16A.3 Conditional Uses.

- a. Houses of worship on lots of two acres or larger with a minimum of one parking space for each three seats, with the parking areas located in the side or rear yard only and adequately buffered from adjoining residential properties.
- b. Motor vehicle sales and other uses having as their primary function the sale or rental of retail goods displayed outdoors, provided no goods shall be displayed, stored or sold within 50 feet of a front lot line. No goods shall be displayed in a manner which will impede access by fire-fighting or other emergency equipment to any structure or other goods on the premises. No goods shall be displayed, stored or sold within 20 feet of a rear or side lot line. A landscape strip or a landscape buffer at least 15 feet wide shall be provided along each lot line.
- c. Carwash establishments shall be permitted provided all washing activities are conducted within a fully enclosed building. All vehicle entrances to the building shall be from the rear or side of the building and all

parked and waiting vehicles shall be accommodated on the lot. All of the area, yard, building coverage and height requirements of the HC district shall be met.

- d. Auto body shops and other automotive repair shops which do not sell gasoline shall be permitted provided all repair activities are conducted within a fully enclosed building. Any motor vehicle awaiting repair may be located on the premises provided that said vehicle is located in the rear or side yard and is screened from view such that no stored vehicle is visible from the front of the premises or from any adjacent premises. No motor vehicle shall be displayed for sale on the site. No motor vehicle shall be stored on the site for a period longer than 90 days. All of the area, yard, building coverage and height requirements of the HC district shall be met.

20-16A.4 Bulk and Area Requirements.

- a. Notwithstanding any provision of this Chapter to the contrary, the following minimum front yard setbacks shall be provided for development within the HC-2 Highway Commercial 2 zoning district: when parking is excluded from the front yard, a minimum 50-foot front yard principal building setback shall be provided, and when parking is included in the front yard, a minimum 80-foot front yard setback shall be provided.
- b. See the "Schedule of District Regulations" table of this Chapter for additional requirements.

20-16A.5 Other Requirements.

- a. Notwithstanding any provision of this chapter to the contrary, the following minimum front yard landscaped buffer setback areas shall be provided for developments within the HC-2 zoning district in order to mitigate against the appearance of buildings and paved areas from the street and from abutting residential properties. A minimum 25-foot landscaped buffer setback shall be provided along any property line which abuts a residential zoning district or any existing residential use.
- b. Driveways shall not be wider than 36 feet at any point and must be at least ten feet from any side lot line and 100 feet from intersecting street lines.
- c. Efforts shall be made to secure cross-access easements between adjoining commercial properties to provide convenient access.

SECTION 2. The Schedule of District Regulations of Chapter XX, "Zoning," is amended and supplemented to add HC-2 Highway Commercial 2.

HC-2 Highway Commercial 2														
Minimum Lot Area (Acres or Sq. Ft.)	Minimum Dimensions in Feet									Maximum Allowed				
	Lot width	Principle Building Yards				Accessory Bldg. Setbacks From				% Bldg. Covrg.	% Imprvmt . Covrg.	Bldg. Height in Feet.	Bldg. Height Stories	Floor Area Ratio
		Front Yard	Side Yard	Both Side Yard	Rear Yard	Street Line	Side Line	Rear Line	Princ. Bldg.					
60,000	250	50	20	40	35	100	20	20	20	20	80	40	NA	.30

SECTION 3. Section 20-4.0100, “DISTRICTS CREATED” will be amended and supplemented to add HC-2 Highway Commercial 2:

20-4.0100 DISTRICTS CREATED. The following districts are hereby created:

R-A Rural Agricultural
R-E Rural Estate
R-1 Residential Low Density
R-2 Residential Low Density
R-3 Residential Medium Density
R-M Residential Multifamily
R-M AH Residential Multifamily Affordable Housing
R-M1 Residential Multifamily 1
R-M2 Residential Multifamily 2
S-L Residential Small Lot
PRC Planned Retirement Communities
PAC Planned Adult Community
PUD Planned Unit Development
MH Manufactured Housing
NC Neighborhood Commercial
HC Highway Commercial
HC-2 Highway Commercial 2
TC Turnpike Commercial
R-O Research Office
I-O Industrial Office
ARH Age-Restricted Housing
CC Community Commercial
CR Corridor Revitalization

SECTION 4. The map entitled “Zoning Map, East Windsor Township, Mercer County, NJ,” dated February 3, 2017, is revised to amend the HC-Highway Commercial District, as follows:

The following properties as designated on the Township of East Windsor tax maps, currently located in the HC Highway Commercial Zone, are to be rezoned to the HC-2 Highway Commercial 2 Zone District. The remaining properties currently in the HC Highway Commercial Zone not listed below shall remain in the HC Zone:

Properties to be rezoned to the HC-2 Highway Commercial 2 Zone are as follows:

Block	Lots
46.00	1, 2, 3
50.00	1, 2, 3, 4, 5, 6 (the portion currently zoned HC), 6.01, 7, 7.01
50.01	1
50.02	1
50.03	1
53.04	10, 11, 12.02, 13.02, 13.03, 14, 15, 16, 16.01, 17, 17.01, 18
56.00	1, 2, 3, 8, 9, 17, 38, 41
58.00	11, 11.01, 12, 13.01, 14.02, 15
58.12	17, 21 (the portion currently zoned HC), 22, 23, 24, 27, 43.01, 45

63.01	12, 13, 14, 16.01
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SECTION 5. **Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 6. **Severability.** If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 7. **Effective Date.** This Ordinance shall take effect upon its passage, publication and filing with the Mercer County Planning Board, and as provided for by law.

Mayor Mironov stated the Ordinance was introduced at the meeting of April 7 and the Public Hearing set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2020-03. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

Mayor Mironov stated the Ordinance was referred to the East Windsor Township Planning Board pursuant to the New Jersey Municipal Land Use Law. The Ordinance was reviewed at the Planning Board meeting of May 4 and a memo was provided to Council dated May 5 indicating the Planning Board unanimously endorsed the proposed Ordinance and further determined that it is not inconsistent with the Township Master Plan, and is in fact consistent with and in furtherance of implementing the July 25, 2019 Master Plan Reexamination Report.

It was MOVED by Yeager, SECONDED by Rosenberg to adopt Ordinance 2020-03 and authorize publication as required by law.

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

There being seven (7) ayes, and no (0) nays, Ordinance 2020-03 was adopted and publication authorized as required by law.

Ordinance 2020-04 An Ordinance Amending Chapter XX, “Zoning,” Section 20-15 “NC Neighborhood Commercial,” of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2020-04
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

AN ORDINANCE AMENDING CHAPTER XX, “ZONING,” SECTION 20-15, “NC NEIGHBORHOOD COMMERCIAL,” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR.

WHEREAS, the 2019 Master Plan Re-examination Report was prepared by the East Windsor Township Planning Board and adopted on July 25, 2019 in accordance with New Jersey Municipal Land Use Law (MLUL); and

WHEREAS, pursuant to N.J.S.A. 40:55D-89D of the MLUL, the Planning Board identified in Section 6 Item 6 of the 2019 Master Plan Re-examination Report, that “Automobile Service Stations have evolved from smaller facilities providing fuel and vehicle services to the larger contemporary facilities featuring multiple high-volume pump islands with integrated convenience stores,” and further that “such modern Automobile Service Stations can have significantly greater vehicular activity than former stations, along with increased deliveries and potentially increased impacts to the surrounding environs that can intensify when a facility operates 24 hours, 7 days a week;” and

WHEREAS, therefore, the 2019 Master Plan Re-examination Report “recommended to limit new Automobile Service Stations to locations near major highway interchanges and arterial collector intersections along Route 130;” and

WHEREAS, to implement this recommendation, the NC neighborhood Commercial Zone is to be amended to remove automobile service stations as a conditional use.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, as follows:

SECTION 1. Section 20-15.3 b. is deleted in its entirety.

SECTION 2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 3. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 4. Effective Date. This Ordinance shall take effect upon its passage, publication and filing with the Mercer County Planning Board, and as provided for by law.

Mayor Mironov stated the Ordinance was introduced at the meeting of April 7 and the Public Hearing set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2020-04. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

Mayor Mironov stated the Ordinance was referred to the East Windsor Township Planning Board pursuant to the New Jersey Municipal Land Use Law. The Ordinance was reviewed at the Planning Board meeting of May 4 and a memo was provided to Council dated May 5 indicating the Planning Board unanimously endorsed the proposed Ordinance and further determined that it is not inconsistent with the Township Master Plan, and is in fact consistent with and in furtherance of implementing the July 25, 2019 Master Plan Reexamination Report.

It was MOVED by Yeager, SECONDED by Shapiro to adopt Ordinance 2020-04 and authorize publication as required by law.

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

There being seven (7) ayes, and no (0) nays, Ordinance 2020-04 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2020-075 Authorizing Refund of Tax Overpayments

RESOLUTION R2020-075

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Tax Collector has certified that there have been overpayments for various reasons on certain properties; and

WHEREAS, the taxpayers are entitled to refunds.

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 Chief Financial Officer is hereby authorized and directed to make payments to the taxpayers for overpayments according to the attached Tax Collector's 2020 Refund of Taxes List Number 1 dated April 20, 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 May 5, 2020.

It was MOVED by Rosenberg, SECONDED by Daniels to approve Resolution R2020-075.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-075 was approved.

Resolution R2020-076 Action on 2nd Quarter Taxes Grace Period

RESOLUTION R2020-076

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on January 1, 2020, by Resolution R2020-003, the Township Council established the Interest Rate on Delinquent Taxes and provided that “no interest be charged if payment of taxes is made within ten days after the date upon which the same became payable” for 2020 property taxes; and

WHEREAS, pursuant to N.J.S.A. 54:4-66(a), second quarter property taxes are due on May 1, 2020 for the municipalities which operate on a calendar year; and

WHEREAS, on April 28, 2020, Philip D. Murphy, Governor of the State of New Jersey, issued Executive Order 130, suspending the provisions of N.J.S.A. 54:4-67(a) and 54:4-66(a) for the duration of the COVID-19 public health emergency, and authorizing any governing body of a municipality with a calendar year budget cycle to adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes; and

WHEREAS, in light of the economic disruption and financial hardships the COVID-19 outbreak has caused to many East Windsor residents and businesses and to help mitigate some of this hardship, Mayor and Council wish to extend the 2nd Quarter 2020 tax payment grace period to June 1, 2020, during which interest will not be charged for the late payment of second-quarter property taxes; and

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. Pursuant to Executive Order 130, the grace period for payment of 2nd Quarter 2020 property taxes is extended to June 1, 2020 during which time no interest shall be charged for the nonpayment of second-quarter property taxes provided payment is made on or before June 1, 2020.
2. In accordance with Paragraph 3 of Executive Order 130, the Township Clerk is directed to provide a certified copy of this Resolution, within three business days, to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.
3. This Resolution shall take effect immediately.

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 May 5, 2020.

Mayor Mironov stated in the third paragraph, after “public health emergency” add the words “and authorizing”. She also requested, under Now, Therefore, paragraph number two, the last line should read “the New Jersey Department of Community Affairs”.

Mayor Mironov stated Governor Murphy issued Executive Order 130 on April 28, which provides the authority to municipal governing bodies to extend the grace period from 10 days to 30 days for the second quarter taxes. She stated it was her recommendation to extend the grace period, as the Township has been receiving tax payments and is currently on par with where the Township was in tax payments at this time in 2019. Mayor Mironov stated that the Township has received bank payments, which comprise approximately 50% of tax payments, in addition to private payments that have been received.

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

It was MOVED by Lippman, SECONDED by Shapiro to approve Resolution R2020-076 with changes.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-076 was approved with changes.

Resolution R2020-077 Action on Award of Bid for Resurfacing and Associated Repairs for portions of Dutch Neck Road between Hightstown Borough and 400' West of US Highway 130 and portions of Morrison Avenue between Hightstown Borough and Dutch Neck Road

RESOLUTION R2020-077

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the Resurfacing and Associated Repairs for portions of Dutch Neck Road between Hightstown Borough and 400' West of US Highway 130 and portions of Morrison Avenue between Hightstown Borough and Dutch Neck Road; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on March 26, 2020 and six bids for the Resurfacing and Associated Repairs for portions of Dutch Neck Road between Hightstown Borough and 400' West of US Highway 130 and portions of Morrison Avenue between Hightstown Borough and Dutch Neck Road were received by the Municipal Clerk's Office on April 29, 2020; and

WHEREAS, the Township Council has reviewed the recommendations made by the Director of Public Works on these bids; and

WHEREAS, the lowest responsible bid was submitted by Richard T. Barrett Paving Company Inc.; and

WHEREAS, the maximum amount of the purchase is \$246,798.35 and sufficient funds are available in in Capital Account No. C-04-55-980-921-890 entitled Ordinance 2017-15 "Annual Road Program", as evidenced by the Chief Finance Officer's Certification No. C2020-011.

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

1. The contract for the Resurfacing and Associated Repairs for portions of Dutch Neck Road between Hightstown Borough and 400' West of US Highway 130 and portions of Morrison Avenue between Hightstown Borough and Dutch Neck Road is awarded to Richard T. Barrett Paving Company Inc., in an amount not to exceed \$246,996.35.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
3. The Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder and the next lowest bidder, upon the receipt of a fully executed contract.

4. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: S. Brothers, Inc., PO Box 317, South River, NJ 08882; Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876; Earle Companies, PO Drawer 556, Farmingdale, NJ 07727; Gres Paving Company, Inc., 2475 East State Street Ext., Trenton, NJ 08619; and Lima Charlie Construction, One Broad Street, Suite 4, Freehold, NJ 07728.

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 May 5, 2020.

Mayor Mironov stated that “East Windsor Township” should be removed from the second to last line in the second paragraph. She stated the second paragraph should be corrected to reflect bids were received by the Municipal Clerk’s Office.

Mayor Mironov stated a recommendation was received on this from the Public Works Director, wherein he recommends the award of the project to Richard T. Barrett Paving Company for \$246,996.35. The memo indicated there was a differential of \$198.00 upon adding up all of the different quantities. Mr. Orron stated the amount of the contract should be the sum of the component parts of the bid, which is \$198.00 less than the bottom line amount in the submitted bid. Mayor Mironov stated the contract should be for \$246,798.35, as indicated by the Public Works Director. Mr. Orron stated the Resolution will be corrected to reflect the correct contract amount of \$246,798.35, and Richard T. Barrett Paving Company will have to sign the contract.

Mayor Mironov stated the Township was awarded a grant by NJDOT for the project in the amount of \$393,575. She stated that the Township will need to follow up with NJDOT as to how they would like to handle the additional grant money, in addition to the process and timeline the Township will need to follow to start the project, as she would like to see this project started as soon as possible.

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

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2020-077 with the changes.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-077 was approved with the changes.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Mr. Shapiro stated the Planning Board met on May 4 and discussed Ordinance 2020-03 and Ordinance 2020-04.

Mayor Mironov stated the Planning Board approved several Resolutions at the May 4 meeting, including Innovation Park for the redevelopment of the former S&P Global site, Modway for the addition of a generator, and 269 Wyckoff Mills Road, which will be discussed by Council later this evening.

Mayor Mironov stated a Zoom meeting took place yesterday with herself, Mr. Brady, Mr. Delaney, Mr. Shapiro, and Settembrino Architects regarding the Senior Center expansion project. She stated the final construction plans with specifications will be completed sometime this month according to the project architect so the Township can go out to bid on the project. She stated that the Township will also be having Zoom meetings in the future regarding EMS and ambulance services.

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.

Mayor Mironov stated on the 2020 Current Bill list there is a reimbursement for the Zoom software for \$150.00 and she would like to know what that is for. Mr. Orron stated Zoom is free for meetings with three individuals and a forty minute time limit. Mayor Mironov stated it is her understanding that Zoom has eliminated those restrictions on free accounts. She asked the bill be held pending clarification.

It was MOVED by Yeager, SECONDED by Lippman to approve the Bill Lists with the holds.

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 holds.

MATTERS BY COUNCIL:

Mayor Mironov noted the receipt of the following correspondence: a letter from NJDOT dated April 13 with respect to FY2020 Grant programs, indicating applications are due July 1. Mayor Mironov requested this be listed on the next Council meeting agenda. Mayor Mironov continued, noting the receipt of the following: a letter dated April 27 from the Mayor of Hightstown regarding dispatch services, which she indicated she intends to reply to with some questions, and noted the letter incorrectly states the current agreement expires January 27, 2021, whereas it will actually expire May 19, 2021; a report from the Tax Collector dated May 1 with the annual report of uncollectable taxes; a memo from the Township Manager dated April 21 addressing bills list questions from the March 24 Council meeting, which Mayor Mironov confirmed everyone received and asked if there were any further questions. With no questions being raised, Mayor Mironov confirmed the bills were able to be processed. Mayor Mironov noted the receipt of a memo from the Township Manager dated April 22 addressing bills list questions

from the April 21 Council meeting, which she confirmed everyone received and asked if there were any further questions. With no questions being raised, she confirmed the bills were able to be processed. Mayor Mironov continued with correspondence, noting the receipt of the following: a memo from Heather Light, Department of Public Works, with the updated 2019 Recycling tonnage grant, which Mayor Mironov noted the submission deadline had been extended but Ms. Light had reached the remaining individuals; a letter from the Chief of East Windsor Volunteer Fire Company No. 1 indicating they have received the SUV Command vehicle and that everything is satisfactory for payment; a letter dated April 28 from the Chief of East Windsor Volunteer Fire Company No. 1, which she responded to.

Mayor Mironov stated that everyone received a copy of the final submission for the AARP Community Challenge Grant program for equipment for the patio at the Senior Center. She stated the Township Manager provided clarification regarding the New Jersey Division of Highway Traffic Safety Grant for FY2021, indicating that the program does not consider when applications are prioritized and they are all individually reviewed. The grant application deadline has been extended to May 31. Mayor Mironov stated that Council previously discussed filing applications for all four projects, and Council unanimously agreed to file all four grant applications.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 269 Wyckoff Mills Road (Block 12, Lot 2) Redevelopment

Mayor Mironov stated a memo dated April 16 was received on this matter from Kevin McManimon of McManimon, Scotland, and Baumann. She stated a letter she wrote was also distributed. Mayor Mironov indicated the developer for the property wants to move forward on the project and appeared before the Planning Board on May 4. They have indicated that they wish to proceed with the construction of the approved building but would like to build the interior mezzanine at a later date and slightly increase the office space. Mayor Mironov stated that the Planning Board acted favorably on their request at the May 4 Planning Board meeting and that will be incorporated into the documents. She stated the project is being done by a known developer who has purchased the property and the project would be a financial asset to the Township.

Mayor Mironov stated there are several issues with the documents however that she brought to Mr. McManimon's attention. The first issue is she is still waiting for the final application for review in order to update her letter. The second issue is the agreement is not signed, and normally Mayor and Council like to get contracts signed when they are listed on an agenda. The third issue is regarding the financial agreement. Mayor Mironov stated she would like it to be clearly incorporated in the documents so that it was fully understood that the PILOT applies to the entire project in Section 4.03A, as she is not satisfied with the wording. She stated she expressed that to Mr. McManimon. Mayor Mironov stated that the agreements are made subject to her review and she has the ability to make changes in them according to the materials provided to Council this evening, so these items can still be addressed. She requested that the developer and Mr. McManimon receive the most up to date Resolution, as there was a Resolution that had some erroneous representations as to turns out of the property, which has since been updated. She stated she indicated to Mr. McManimon after she reviewed the final documents that this is basically the Township's developer's agreement, as they will not be doing a separate developer's agreement for

this project, and that he needed to go back and review the original Resolution, as there was at least one condition regarding the tree escrow that was not incorporated anywhere in these documents. Mayor Mironov also explained to him that Kelly Lettera is the Township Municipal Clerk and there are numerous places throughout the document that needed to be corrected, where the wrong name or title was used. Mayor Mironov stated that, understanding the documents need to be reworked, she is eager to move this along as the project is a great benefit to the Township and she feels they have had good negotiations regarding the financial benefits. Subject to all of those things happening, she would be supportive of moving ahead, but that would be the prerogative of Council and any other questions they may have.

Mr. Shapiro stated he was comfortable considering the discussion of the project at the May 4 Planning Board meeting and that the developer had indicated they intend to finish the project in a relatively short period of time. Mayor Mironov stated that the developer wants to start the work on the project and hopefully there are several projects along Wyckoff Mills Road that are eager to get started, which is extremely positive for the Township as it means additional revenue generation. She stated anything Council can do to monitor and plan for expenditures and revenue is important to the fiscal health of the Township and residents. She stated even though she has some issues with these documents, she has had several conversations with Mr. McManimon, and feels moving forward would be positive.

Mr. Zoller asked if this project will have an impact on the grant that was awarded to the Township for the improvements on Wyckoff Mills Road. Mayor Mironov stated the Township received a \$1.7 million dollar grant from NJDOT for the alternative truck route from Wyckoff Mills Road. She stated the developer is required to make a contribution to the Transportation Improvement Program under the redeveloper's agreement. Mayor Mironov indicated this project was approved several years ago and all subsequent Resolutions have imposed an additional condition on the developer that they cooperate and contribute to a resolution of truck issues on Wyckoff Mills Road. John Kainer, a developer who has multiple properties along Wyckoff Mills Road, has taken the lead in putting forward some proposals for consideration for an alternative truck route. Mayor Mironov stated that there is not an express provision here, although it could be added to the redeveloper agreement. She reiterated they will be making a contribution to the Transportation Improvement Program to the benefit of the Township. Mr. Zoller stated he thought that sounded great.

A. Ordinance 2020-06

An Ordinance of the Township of East Windsor, in the County of Mercer, New Jersey, Approving Application and Financial Agreement for Tax Exemption in Connection with the Redevelopment of 269 Wyckoff Mills Road (Block 12, Lot 2).

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, APPROVING APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION IN CONNECTION WITH THE REDEVELOPMENT OF 269 WYCKOFF MILLS ROAD (BLOCK 12, LOT 2).

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), the Township Council (“Township Council”) of the Township of East Windsor (“Township”) adopted Resolution R2017-097 on May 16, 2017, authorizing the East Windsor Planning Board to conduct a Preliminary Investigation of the parcel located at 269 Wyckoff Mills Road and known as Block 12, Lot 2 on the Township tax map (the “Redevelopment Area”), to determine if the area is in need of Redevelopment; and

WHEREAS, on July 11, 2017, the Township Council adopted Resolution R2017-133, designating the Redevelopment Area, as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on September 12, 2017, the Township Council adopted Ordinance Number 2017-010, approving and adopting the redevelopment plan (“Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, on October 10, 2017, the Township Council adopted Resolution R2017-176, designating 269 Wyckoff Mills Road EW3 as the redeveloper of the Redevelopment Area; and

WHEREAS, subsequent to the adoption of Resolution R2017-176, the Redevelopment Area was sold by 269 Wyckoff Mills Road EW3 to 269 Wyckoff Mills Road Urban Renewal, LLC, subject to the terms of Resolution R2017-176;

WHEREAS, on May 5, 2020, the Township Council adopted Resolution R2020-078, designating 269 Wyckoff Mills Road Urban Renewal, LLC (the “Entity”) as the redeveloper of the Redevelopment Area and authorizing the execution of a Redevelopment Agreement (the “Redevelopment Agreement”) with the Entity; and

WHEREAS, pursuant to the Redevelopment Agreement, the Entity will redevelop the Redevelopment Area by constructing a project consisting of an approximately 159,974 square foot building, including approximately 120,326 square feet of warehouse space, approximately 9,174 square feet of office space and, potentially, approximately 30,474 square feet of mezzanine space in the Redevelopment Area, and the construction of utilities, roads, street lighting, landscaping, sidewalk and other on- and off-site improvements in accordance with the requirements of the Redevelopment Plan (collectively, the “Project”); and

WHEREAS, the Entity submitted to the Township an application (the “Application”) for tax exemption in connection with the Project, which application is on file with the Township Clerk, requesting an exemption from taxes for the improvements constituting the Project pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “Long Term Tax Exemption Law”); and

WHEREAS, the Application includes a proposed form of financial agreement (the “Financial Agreement”); and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Township Council with her recommendation that the Application be favorably considered, provided that all legal requirements have been met, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law; and

WHEREAS, in order to satisfy the requirements of the Long Term Tax Exemption Law and to set forth the terms and conditions under which the Parties shall carry out their respective obligations with respect to the payment of the Annual Service Charge by 269 Wyckoff Mills Road Urban Renewal, LLC, in lieu of real property taxes, the Parties have determined to execute this Financial Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, in consideration of the mutual covenants herein contained and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

SECTION 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

SECTION 2. The Application and Financial Agreement are hereby approved.

SECTION 3. The Mayor is hereby authorized to execute the Financial Agreement in substantially the same form as the attached **Exhibit A**, subject to such minor additions, deletions, modifications or amendments deemed necessary by the Mayor in her discretion in consultation with counsel, which minor additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Financial Agreement.

SECTION 4. Repealer. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. 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.

SECTION 6. Effective Date. This Ordinance shall take effect twenty (20) days after the final passage and publication as required by law.

Mayor Mironov indicated the title on the Ordinance should be revised to the title as it is written on the agenda. She stated this is for the financial agreement, which is \$2.35 per square foot that was negotiated by the Township.

It was MOVED by Yeager, SECONDED by Zoller to approve Ordinance 2020-06 on introduction, authorize publication as required by law and set public hearing for May 19, 2020.

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

There being seven (7) ayes and no (0) nays, Ordinance 2020-06 was approved on introduction, authorize publication as required by law and set public hearing for May 19, 2020.

B. **Resolution R2020-078** Designating 269 Wyckoff Mills Road Urban Renewal, L.L.C. as Redeveloper and Authorizing the Execution of a Redevelopment Agreement for 269 Wyckoff Mills Road (Block 12, Lot 2), Pursuant to the Local Redevelopment and Housing Law. *N.J.S.A. 40A:12A-1, et seq.*

RESOLUTION R2020-078

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY**

**RESOLUTION OF THE TOWNSHIP OF EAST WINDSOR, COUNTY OF MERCER,
DESIGNATING 269 WYCKOFF MILLS ROAD URBAN RENEWAL, LLC AS
REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT
AGREEMENT FOR 269 WYCKOFF MILLS ROAD KNOWN AS BLOCK 12, LOT 2,
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.*
*40A:12A-1, ET SEQ.***

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on May 16, 2017, the Township Council adopted Resolution R2017-097, authorizing the East Windsor Planning Board to conduct a Preliminary Investigation for the parcel located at 269 Wyckoff Mills Road and known as Block 12, Lot 2 on the Township tax map (the “Redevelopment Area”), to determine if the area is in need of Redevelopment; and

WHEREAS, on July 11, 2017, the Township Council adopted Resolution R2017-133, designating the Redevelopment Area, as a non-condemnation area in need of redevelopment under the Redevelopment Law; and

WHEREAS, on September 12, 2017, the Township Council adopted Ordinance Number 2017-010, approving and adopting a redevelopment plan (“Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, on October 10, 2017, the Township Council adopted Resolution R2017-176, designating 269 Wyckoff Mills Road EW3 as the redeveloper of the Redevelopment Area; and

WHEREAS, subsequent to the adoption of Resolution R2017-176, the Redevelopment Area was sold by 269 Wyckoff Mills Road EW3 to 269 Wyckoff Mills Road Urban Renewal, LLC, subject to the terms of Resolution R2017-176; and

WHEREAS, 269 Wyckoff Mills Urban Renewal, LLC (the “Entity”) is the current owner of the Redevelopment Area; and

WHEREAS, the Entity will redevelop the Redevelopment Area by constructing a project consisting of an approximately 159,974 square foot building, including approximately 120,326 square feet of warehouse space, approximately 9,174 square feet of office space and, potentially, approximately 30,474 square feet of mezzanine space on the Redevelopment Area, and the construction of utilities, roads, street lighting, landscaping, sidewalk and other on- and off-site improvements in accordance with the requirements of the Redevelopment Plan (collectively, the “Project”) and the Entity desires to be designated by the Township as the “redeveloper” (as defined in the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, the Township finds that the Entity’s proposal is in the best interests of the Township; and

WHEREAS, in order to set forth the terms and conditions under which the Entity will undertake the redevelopment of the Redevelopment Area, the Township and the Entity desire to enter into a redevelopment agreement; and

WHEREAS, the Township Council now desires to (i) designate the Entity as the redeveloper of the Redevelopment Area and (ii) authorize the execution of a redevelopment agreement (the “Redevelopment Agreement”) between the Township and the Entity in substantially the same form as the attached **Exhibit A**.

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

1. Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, 269 Wyckoff Mills Urban Renewal, LLC is designated as the Redeveloper of the property located at 269 Wyckoff Mills Road and known as Block 12, Lot 2.
2. The Mayor is hereby authorized to execute the Redevelopment Agreement in substantially the same form as the attached **Exhibit A**, subject to such minor additions, deletions, modifications or amendments deemed necessary by the Mayor in her discretion in consultation with counsel, which minor additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Redevelopment Agreement.
3. This Resolution shall take effect immediately.

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 May 19, 2020.

Mayor Mironov stated this is for the redevelopment agreement, which includes the aspects discussed tonight which are pertinent to the development, including the various contributions as discussed. She stated that both documents tonight are conditioned upon the items being addressed as discussed tonight and the signed agreement.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2020-078 with the conditions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-078 was approved with the conditions.

2. 2020 Municipal Capital Program

Mayor Mironov stated a revised memo dated April 27 was received from the Township Manager addressing subjects raised by Mayor and Council when this matter was discussed at the last Council meeting. She stated she asked at the last meeting how much money there is for park improvements and the memo indicates there is \$82,862 available. She requested a cogent review of the Township parks by the Public Works Director so Council could consider what to use these funds for or any other allocations. Mayor Mironov stated on page two, there were questions about the tandem chassis hook lift truck. She stated that the memo states, “not having this truck available in the fleet leaves DPW without the availability of a truck to salt during winter inclement weather, no vehicle to move containers from site to site, and one less heavy duty dump truck.” Mayor Mironov stated she would challenge the first two statements in the memo and would like further explanation, as she thought the Township had multiple trucks that salt and sand during the winter so that does not seem like an accurate description. She asked Mr. Brady for clarification. Mr. Brady stated that this truck has the highest capacity of the fleet. Mayor Mironov asked how long the truck has been unusable. Mr. Brady stated the Public Works Director indicated the bent frame makes the truck unusable, and repairs would cost \$18,000 but he did not have the exact date the truck became unusable. Mayor Mironov asked Council Members if there were any comments or questions so far. No questions or comments were raised. Mayor Mironov asked to continue and to come back to this item at the end.

Mayor Mironov stated the revised memo indicates the need for a replacement stump grinder. The current one was purchased in 1994 and the needed repairs would cost approximately \$6,500. Mayor Mironov stated that she read the revised memo and she understands this is the Township Manager quoting the Public Works Director, but good points were raised at the last meeting about the amount of the repairs and the frequency of the use of this vehicle. Mayor Mironov stated that the Township had much greater use of this vehicle due to the agreement between JCP&L and the Township, where JCP&L removed 200 dead trees within the Township and the Township removed the stumps. She requested clarification as to the frequency of the use of the vehicle and asked Council Members if anyone else had any other questions or comments on this item. Mr. Shapiro asked if the Ash borer disease was causing an increase in tree removal. Mayor Mironov stated that this vehicle is specifically for the removal of the tree stump and that

she did not know how the Ash borer disease would affect the frequency of use for this vehicle and require the purchase of a new vehicle. Mr. Yeager asked for the average life span of this vehicle and if a new model would have more safety features. Mr. Zoller stated last time this was discussed, the replacement vehicle would cost \$100,000 and now the vehicle would cost \$60,000, which is a good thing. He stated that the memo indicates that the \$6,500 repair estimate does not include the engine replacement and repair of the trailer chassis due to rust. He stated on that basis, they were on line to replace the old unit. Mayor Mironov stated that this would enable Council to include this item in the Capital budget but was not approving the purchase at this time. She stated she is not prepared to purchase the vehicle yet as there are many questions that remain unanswered. Mr. Yeager agreed and requested a better estimate of the repairs needed for the vehicle in order to fully evaluate their options. Mayor Mironov requested the item be included but require Council authorization. Council unanimously agreed.

Mayor Mironov stated that they would now discuss the Police Department items. She stated generally the vehicles are purchased between April and June when current year models are still available through competitive bids and they are usually delivered July through September. Mayor Mironov stated she discussed with the Police Chief the possibility of including two years of vehicles. She stated she is willing to leave the ten vehicles at this point and consider this when it comes back to Council. She stated that the vehicles are likely not being used as much currently, so she would require justification prior to the purchase. Mr. Lippman agreed and stated they have already lost a quarter of a year of use, and that is money. Mr. Rosenberg and Mr. Shapiro also agreed. Mayor Mironov stated they would need to take a closer look at the actual condition of the vehicles.

Mayor Mironov stated the Mercer at Play Grant has been found in a Chapter 159, so that has already been taken care of. She stated she also suggested including the Estenes property, as they have the certified value. She stated she asked about the process if they were to look into including the Estenes property.

Mayor Mironov stated there is a NJDEP grant award the Township received for \$30,000. Due to a small hitch, it will be transformed into a tree inventory grant for \$10,000. Regarding the purchase of the Estenes property, Mayor Mironov stated they have already made the request to Mercer County for the grant award and they anticipate it will be granted, so the money for the purchase should be included as long as the Township goes forward with the purchase.

Mayor Mironov referred back to the chassis hook lift truck. She stated that additional information was provided and asked for comments from Council Members as to if this should be included. Mr. Yeager stated including it does not commit Mayor and Council to purchasing it, so he would be inclined to include it and getting additional information on the purchase as previously discussed. Mayor Mironov stated she has mixed feelings on the matter and said the wording should be changed in case they decide not to purchase the truck or to purchase a different truck. Mr. Shapiro and Mr. Zoller agreed with Mayor Mironov.

Mayor Mironov asked Council Members for any other questions or comments. There were no other questions or comments raised by Council Members. Mayor Mironov asked that this be listed on the next Council agenda and the requested information and clarifications be provided.

3. Union Transportation Trail Project "Progress"

- A. JCP&L Easements Status
- B. Preliminary Concept Plan Status
- C. Potential Funding Sources: DVRPC and NJ DOT Applications Status
- D. Public Meeting: Scheduling and Materials Status

Mayor Mironov stated this matter was listed because progress needs to be made on the project. She stated she is appreciative the Township Manager has been working with staff to move forward on the project. She stated there was an issue with the JCP&L easements so she reached out to JCP&L directly and a letter has since been received which adequately clarifies the matter for the Township's purposes in order to move forward on the project. She stated her issue is that she would have preferred not to have had to do that.

Mayor Mironov stated for the Preliminary Concept Plan Status, the contract was awarded to Hopewell Valley Engineering. Regarding the public meeting, she stated the Township has been unable to have meetings but there have been emails and phone calls exchanged, and comments were received from Monmouth County and Hopewell Valley Engineering is in the process of reviewing those comments. She stated a letter will be sent to about 30 residents who live close enough to the proposed trail extension that they felt they should share the plans with them and give them an opportunity to provide input. She stated the letters will be sent out this week. Mayor Mironov stated she has indicated to staff and Hopewell Valley Engineering that for this to be a serious project and to enable the Township to seriously look for additional funding from NJDOT or DVRPC there needs to be better and quicker progress. She stated that by the end of May or beginning of June they must have a public session. Mayor Mironov stated while a typical public session is not an option currently, they must have a video session residents can tune into and after can access the project plans and narrative on the Township website. She stated the goal is to finish the preliminary concept plan and move along to final engineering and permitting, otherwise it would be ridiculous to apply for any more funding if they are not in that position. She stated there are potential funding opportunities from NJDOT and DVRPC that she is hoping will be listed on the next Council agenda for Council review. She asked Mr. Brady if he had anything to add and Mr. Brady stated he did not. Mayor Mironov asked Council Members if they had any questions or comments. Mr. Yeager stated that he agreed with Mayor Mironov.

- 4. Open Space Acquisitions: Status
 - A. 104 Disbrow Hill Road (Block 32, Lot 5)
 - B. 641 Etra Road (Block 32, Lot 13.01)
 - C. 949 Windsor-Perrineville Road (Block 31, Lot 21)
 - D. Additional Properties: 139 Woods Road (Block 44, Lot 1); 140 Woods Road (Block 46, Lot 26.03); 110 Woods Road (Block 46, Lot 25); 117 Woods Road (Block 44, Lot 1.07); Route 33 & Airport Road (Block 50.03, Lot 17); Old York Road (Block 42, Lot 13)

Mayor Mironov stated this was previously discussed by Council, including some additional properties on Woods Road, Old York Road, and Airport Road. She stated additional information was provided by the Assistant Township Manager on this subject.

Mayor Mironov stated she has one question she would like to lead with. She stated for the property at the intersection of Route 33 and Airport Road, she left follow up questions with Mr. Delaney after seeing his memo and she did not receive any specific information back aside from a few voice messages. She stated the memo indicates the Township owns 18.4 acres of open space on the other side of the Union Transportation Trail right of way and this new property was raised to see if it would provide any benefit in conjunction with the UTT trail. She stated that was not clear in the provided information. Mr. Lippman agreed with Mayor Mironov.

She asked Council Members for any comments or questions. No comments or questions were raised. Mayor Mironov stated Council previously asked if the owners of properties C and D still had interest in selling and that was not addressed in the memo. She stated she received a voice message on that from Mr. Delaney but voice messages are difficult to convey.

Mayor Mironov stated she did not think they could address the Route 33 property tonight because of the missing information. She asked to discuss the other properties and stated some information was provided on the Old York Road property. She stated Mr. Shapiro previously asked how that landlocked piece of land came to be and that was not answered. She stated Mr. Shapiro had also asked if the parcel would have a utility for the trail. She asked Council Members for any questions or comments. Mr. Yeager stated the memo indicates the parcel has frontage along the UTT so that is attractive. Mayor Mironov stated her concern that the question was not answered, but she did received a voice message from Mr. Delaney that sounded like it was possibly picked up as a tax lien so she would question how the value of the land plays to that if that is the parcel's status. Mr. Shapiro stated Mayor Mironov is correct and the property does not have a value and he noticed his question was not answered and there may be an issue with the property they are unaware of. Mayor Mironov suggested this memo be updated with any revisions highlighted, in the same manner Mr. Brady revised the Capital Program memo so Council would have all of the information in one memo.

Mayor Mironov stated she spoke with the owner of one of the four properties on Woods Road because their letter was addressed to her and she also spoke with Thompson Realty in response to their letter to her as well. They indicated they were looking to sell the parcels at a fair market value and the money would ultimately go to their foundation. She stated she asked if the Township were interested and the purchase were made by East Windsor Green Space, which is a non-profit, if that would be helpful to the foundation and possibly affect the price and they responded positively that would make amore amendable arrangement. She stated they are waiting for a letter of interest and amount.

Mayor Mironov asked Council Members for any questions or comments they may have and if they had any thoughts about pursuing these properties. She stated she did not believe they had sufficient information to pursue properties C and D, including if the owners were still interested and any amounts discussed. Mr. Yeager asked if they had the financial capacity to pursue properties A and B while still waiting on the information needed for the other properties. Mayor Mironov stated any of the properties can be pursued separately and they do have sufficient funds. Mr. Lippman stated he would like to wait for information on properties C and D because depending on what the owners of those parcels come back with, that may influence Council's decision. He stated he agreed with Mayor Mironov's suggestion of a revised memo with all of the information to be evaluated. Mayor Mironov asked for more thoughts and

insight on pricing for properties A and B. She asked the matter be listed on the next Council agenda and the requested information be provided to Mayor and Council.

Mayor Mironov asked Mr. Brady for an update on the contract for 104 Disbrow Hill Road. She stated she understands the surveys are in progress for 641 Etra Road and 949 Windsor Perrineville Road and the Township attorney has been made aware of that and she hopes they can get to a point of acquiring those properties in the next few months.

Mayor Mironov asked Council Members for any other comments or questions regarding Open Space acquisitions. No questions or comments were raised.

MATTERS BY PUBLIC: None.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 7:00 p.m.

Next Meeting: May 19, 2020

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor