

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday August 18, 2020

5:30 p.m.

via Teleconference

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, August 18, 2020.

VERIFICATION:

Deputy Municipal Clerk Allison Quigley certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on August 14, 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 Janice S. Mironov.

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 Deputy Municipal Clerk Allison Quigley.

PRESENTATIONS & PROCLAMATIONS:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM:

No one from the public spoke.

MINUTES:

Mayor Mironov stated January 14, 2020 and July 21, 2020 minutes were previously held till the next regularly scheduled meeting.

December 17, 2019

February 11, 2020

February 25, 2020

March 10, 2020

March 24, 2020

April 7, 2020

April 21, 2020

May 5, 2020

May 19, 2020

June 2, 2020

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

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance 2020-10 An Ordinance Amending Chapter XIII, “Building and Housing,” Section 13-1, “Uniform Construction Code Enforcing Agency”, Subsection 13-1.3, “Fees”, of the Revised General Ordinances of the Township of East Windsor

Mayor Mironov stated the potential changes were discussed during the first meeting in July. She stated she went through the Ordinance with her Ordinance book and she had great difficulty understanding what the changes are and how they relate to our Coded Book and she was not sure if Coded Systems would understand what changes needed to be codified. She stated there are several areas that the fee schedule does not reconcile with the code book and the wording needs to be reworked. She also questioned the tower section and stated that information was not provided in the memo. She requested that the entire Ordinance section be included and underline what is changing so whoever codifies the Ordinance knows what is being changed. Mayor Mironov requested that Ordinance 2020-10 be held till the next regularly scheduled meeting due to additional clarification that is needed. All Council Members agreed to hold Ordinance 2020-10 till the next meeting.

RESOLUTIONS:

Resolution R2020-121 Authorizing Purchase and Installation of LED Emergency Running Board Lights and Magnetic Microphone Clips for the 2020 Chevrolet Tahoe Chief Vehicle from Kaldor Emergency Lights, LLC for East Windsor Volunteer Fire Company No. 1

**RESOLUTION R2020-121
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase and install six LED emergency running board lights and three magnetic microphone clips for the new 2020 Chevrolet Tahoe Command vehicle for East Windsor Volunteer Fire Company #1; and

WHEREAS, a quote was solicited from a single vendor, Kaldor Emergency Lights, LLC, to provide this equipment, because Kaldor Emergency Lights, LLC performed the original lighting installation for the vehicle and will provide a single point of contact if service is required in the future; 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 recommendation made by the Township Manager and East Windsor Volunteer Fire Company #1 Fire Chief; and

WHEREAS, the maximum amount of the purchase is \$1,299.45 and funds are available in Account No. C-04-55-980-923-927 entitled Ordinance 2019-01 entitled "FC#1 Sport Utility Vehicle Acquisition", as evidenced by the Chief Financial Officer's Certification No. C2020-028.

NOW, THEREFORE, BE IT RESOVED 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: Kaldor Emergency Lights, LLC, 19 Vanderburg Road, Marlboro, NJ 07746, for the purchase and installation of six LED emergency running board lights and three magnetic microphone clips for the new 2020 Chevrolet Tahoe SUV Command vehicle, for a total amount not to exceed \$1,299.45, 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 August 18, 2020.

Mayor Mironov requested that the memo be removed from the Resolution and only attach the quote. She further requested revising the Resolution in the second paragraph to remove the numbers and reworking the fourth paragraph. She further requested for the future all agencies and departments make sure that the accessories are included with major purchases not added after the fact. Council Member Lippman agreed and stated that it takes away all the buying negotiations with the purchase.

[NOTE: The above Resolution reflects the changes requested.]

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve Resolution R2020-121 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-121 was approved with the revisions.

Resolution R2020-122 Approval of Communication Services Maintenance Agreement with KML Technology, Inc for the Police Department Communications Center

Mayor Mironov stated the 2019 costs need to be included in the Chief of Police's memo. She also questioned why the Township is just now getting the information when the term expired April 13, 2020 and under what authority was the vendor paid. She recommended holding the Resolution till the next regularly scheduled Council meeting awaiting the requested information. Council Members agreed to hold the Resolution pending the information.

Resolution R2020-124 Approval of Consent to Assignment of Financial Agreement for Long Term Tax Exemption with Exeter Wyckoff Mills Urban Renewal, LLC to TSM Urban Renewal Associates, LLC, for 329-359 Wyckoff Mills Road (Block 13, Lots 1.01 and 1.02)

**RESOLUTION R2020-124
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

**APPROVAL OF CONSENT TO ASSIGNMENT OF FINANCIAL
AGREEMENT FOR LONG TERM TAX EXEMPTION WITH EXETER
WYCKOFF MILLS URBAN RENEWAL, LLC TO TSM URBAN
RENEWAL ASSOCIATES, LLC, FOR 329-359 WYCKOFF MILLS ROAD
(BLOCK 13, LOTS 1.01 AND 1.02)**

WHEREAS, the property known as 329-359 Wyckoff Mills Road (Block 13, Lots 1.01 & 1.02) located in East Windsor Township (referred to as "the Property"), is the subject of a Financial Agreement for Long Term Tax Exemption between the Township and Exeter Wyckoff Mills Urban Renewal, LLC dated March 13, 2017, recorded in the Mercer County Clerk's Office on March 22, 2017 in Book 6279, Page 32 (referred to as "the Agreement"); and

WHEREAS, the Township is in receipt of a letter from legal counsel for the contract purchaser of the Property, dated July 13, 2020, indicating that the Property is in the process of being sold to a new urban renewal entity, to be known as TSM Urban Renewal Associates, LLC and requesting the Township's consent to the assignment of the Agreement to TSM; and

WHEREAS, an application for the approval of TSM Urban Renewal Associates, LLC as an urban renewal entity is currently pending before the New Jersey Department of Community Affairs; and

WHEREAS, paragraph 9.01 of the Agreement provides for the sale of the Property and the assignment of the Agreement to a new qualified urban renewal entity, with the consent of the Township; and

WHEREAS, TSM Urban Renewal Associates, LLC intends to be bound by the terms and obligations of the Agreement; and

WHEREAS, TSM Urban Renewal Associates, LLC has filed an application for approval with the Township, in accordance with N.J.S.A. 40A:20-8, and the Mayor has submitted her recommendation for approval to the Township Council; and

WHEREAS, N.J.S.A. 40A:20-10 authorizes the Township to levy an administrative fee, not to exceed two percent of the annual service charge, for the processing of any request for the consent to a continuation of a tax exemption; and

WHEREAS, the Township Council has reviewed the Township Attorney's memorandum on this proposed assignment; and

WHEREAS, the Township Attorney has determined that the proposed assignment of the Agreement from Exeter Wyckoff Mills Urban Renewal, LLC to TSM Urban Renewal Associates, LLC is consistent with the terms of the Agreement and the provisions of the Long Term Tax Exemption Law;

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

1. The application filed by TSM Urban Renewal Associates LLC in accordance with N.J.S.A. 40A:20-8 is hereby approved.
2. The attached Assignment and Assumption of Financial Agreement for Long Term Tax Exemption between and among East Windsor Township, Exeter Wyckoff Mills Urban Renewal, LLC and TSM Urban Renewal Associates, LLC is hereby approved, subject to the Township's receipt of written confirmation that the New Jersey Department of Community Affairs has approved TSM Urban Renewal Associates, LLC as a qualified urban renewal entity.
3. The approval of the subject Assignment and Assumption of Financial Agreement for Long Term Tax Exemption, and the authorization and direction to the Mayor and Municipal Clerk to execute the same, is further made subject to, and conditioned upon, TSM Urban Renewal Associates, LLC closing on the purchase of the Property.
4. An administrative fee of \$16,405.00, equal to two percent of the 2020 annual service charge of \$820,288.00, shall be paid to the Township, for the processing of this request.
5. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Assignment and Assumption of Financial Agreement for Long Term Tax Exemption on behalf of East Windsor Township, upon the satisfaction of the conditions set forth in paragraphs 2, 3 and 4 above.

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 August 18, 2020.

Mayor Mironov requested to revise the title on the Resolution so it coincides with the title on the agenda. Mayor Mironov stated two memos were provided on this subject, but the August 20, 2020 should be the only memo. She further stated any other memos pertaining to this subject should be disposed of throughout the Municipal Building because they were distributed in error and should have been withdrawn. Mayor Mironov stated that TSM has filed an application with the Township. The Township Attorney stated an application has also been filed with the Department of Community Affairs and the signed agreement will be provided to the Township any day. He further stated that a signed consent is needed for the financials for the long-term tax exemption and the date for the Pilot should be April 20, 2020 not January 2020, which is the date the document was sealed.

It was **MOVED** by Rosenberg, **SECONDED** by Daniels to approve Resolution R2020-124 with the revisions and conditions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-124 was approved with the revisions and conditions.

Resolution R2020-125 Approval of Developers Agreement with TC NE Metro Development c/o Trammell Crow Company, LLC, for 148-210 Princeton Hightstown Road (Block 5.01, Lots 12, 13, 14 and 15)

**RESOLUTION R2020-125
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, TC NE Metro Development, Inc. c/o Trammell Crow Company, LLC, the owners of property located at 140-210 Princeton Hightstown Road, East Windsor, New Jersey, Block 5.01, Lots 12, 13, 14, and 15, as shown on the official tax map of the Township of East Windsor, received Preliminary and Final Major Site Plan Approval from the Planning Board on May 4, 2020, bearing application No. PB19-004, for the construction of a two office/warehouse buildings, with a total area of 574,169 square feet; and

WHEREAS, the developer is required to enter into a Developer's Agreement, pursuant to Planning Board Resolution 2020-10.

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

1. The Mayor and Municipal Clerk are hereby authorized to execute the Developer's Agreement with TC NE Metro Development, Inc. c/o Trammell Crow Company, LLC, in the attached form.
2. The Mayor, Township Attorney, Township Engineer, Finance Director, Construction Official and other Township Representatives

are authorized to take any and all action necessary to carry out the terms and conditions of the Agreement.

3. A certified copy of this Resolution shall be forwarded to the Township Attorney, Engineer, Finance Director, Construction Official, and TC NE Metro Development, Inc. c/o Trammell Crow Company, LLC.

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 August 18, 2020.

Mayor Mironov requested changes in paragraph one, two, three and in the now therefore section of the Resolution. Mayor Mironov also requested a few changes within the developer's agreement such as the Resolution number and the planning board application number. She further instructed staff to ensure that the tree replacement number is consistent with the Township Ordinance and the planting of trees between Route 133 and the Riviera that was previously discussed at the last Planning Board meeting. She also stated there is a potential plan that the Landscape Architect developed that needs to be included in paragraph eighteen of the developer's agreement. She further stated, as per paragraph nineteen, an agreement on what the monetary amount is for the offsite traffic mitigation is needed and an agreement needs to be made on the colors and stripping for the building. Mayor Mironov stated the developer dropped off three boards with colors and stripping examples for review. She stated she prefers the colors "endless sea" and "cityscape", subject to viewing the actual samples. She also stated she has no opinion at this point for the stripping and was looking for staff recommendations. Mayor Mironov stated if Council Members would like to weigh in on the color samples and stripping, staff will find a way for review to be arranged.

[NOTE: The above Resolution reflects the changes requested.]

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2020-126 subject to the Mayor and Attorney working out the final issues discussed.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-126 was approved subject to the Mayor and Attorney working out the final issues discussed.

Resolution R2020-126 Approval of Professional Services Agreement with Fennelly Environmental Associates for Site Investigation Testing Activities for 104 Disbrow Hill Road (Block 32, Lot 5)

RESOLUTION R2020-126
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, East Windsor Township is considering acquisition of approximately 3.6 acres of land at 104 Disbrow Hill Road, (Block 32, Lot 5) to preserve as open space; and

WHEREAS, on March 24, 2020, by Resolution R2020-060 the East Windsor Township Council authorized a contract with T&M Associates in the amount of \$2,500.00 to prepare a preliminary assessment report for the property located at 104 Disbrow Hill Road (Block 32, Lot 5); and

WHEREAS, in their June 2020 Preliminary Assessment Report (PAR) with Appendices, T&M Associates identified “one potentially contaminated area of concern (AOC) that requires further investigation,”; and

WHEREAS, the Township solicited quotes for Site Investigation Testing Activities, including investigating and assessing the subsurface conditions in the area of concern on July 17, 2020, and received seven proposals on July 28, 2020; and

WHEREAS, the overall lowest most responsive proposal was received from Fennelly Environmental Associates which includes a base fee for geophysical survey, exploratory test pit investigation and reporting services in the amount of \$7,480.00, and if evidence of contamination is observed during field investigation activities, the vendor has proposed further soil testing and related reporting services for an additional cost in the amount of \$2,300.00; and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

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

WHEREAS, the maximum amount of the contract is \$9,780.00 and funds are available in the Account No. T-13-56-857-802, entitled Reserve for Open Space, as evidenced by the Chief Financial Officer’s Certification No. T2020-009.

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 Mayor and Municipal Clerk are hereby authorized and directed to enter into the attached Agreement with Fennelly Environmental Associates, 116 Village Blvd #200, Princeton, NJ 08540, to perform (A) site investigation testing services for the property located at 104 Disbrow Hill Road (Block 32, Lot 13.01) for field assessment and reporting services in the amount of \$7,480.00, and (B) if further soil testing and related reporting services are required, the Township

must be notified and then must expressly approve the additional services in the amount of \$2,300.00, for a total amount not to exceed \$9,780.00.

2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on August 18, 2020.

Mayor Mironov stated the initial work was done by T&M Associates and needs to be corrected in paragraph three. She stated the fourth paragraph needs to have the date included and remove the solicitation section. Mayor Mironov stated a recommendation memo, dated August 1, 2020, was provided to Mayor and Council from the Township Attorney.

[NOTE: The above Resolution reflects the changes requested.]

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2020-126 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-126 was approved with the revisions.

Resolution R2020-127 Action on Award of Bid for Addition to Senior Center

**RESOLUTION R2020-127
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, a Notice of Bids was issued and posted/advertised on June 19, 2020 for Additions to the East Windsor Senior Center and fourteen bids were received by the Municipal Clerk's Office on July 10, 2020; and

WHEREAS, the bids received were substantially over the architect's projected estimate, and on July 21, 2020 by Resolution R2020-117, the Township Council rejected all bids received on July 10, 2020; and

WHEREAS, a Notice of Bids was issued and posted/advertised on July 23, 2020 for Additions to the East Windsor Senior Center and eight bids were received by the Municipal Clerk's Office on August 7, 2020; and

WHEREAS, the lowest qualified bid was received from Develop Builders; and

WHEREAS, the Township Council has reviewed the recommendation made by Settembrino Architects on this bid; and

WHEREAS, the total cost of the contract is an amount not to exceed \$2,592,000.00, and funds are available in the in the following accounts: Grant Fund Account No. G-02-40-950-968-299 entitled "2019 Mercer at Play, Round 2," upon the approval of the signed grant agreement and receipt of funds from Mercer County; Account No. C-04-55-980-924-950 entitled Ordinance 2020-07, entitled "Senior Center Expansion Project-CDBG"; Account No. C-04-55-980-925-950 entitled Ordinance 2020-09, entitled "Senior Center Expansion Project"; and Account No. C-04-55-980-924-4000 entitled "General Building Repair" as evidenced by the Chief Financial Officer's Certification No. G2020-005.

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

1. The contract for Additions to the Senior Center is awarded to Develop Builders, 174 Cedar Road, New Milford, NJ 07646, on the base bid in an amount not to exceed \$2,592,000, upon receipt of a fully executed contract and all other required documents.
2. The Township reserves the option to accept Deduct Alternate No. 1.0 amount to deduct \$24,000 from the contract amount.
3. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
4. 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.
5. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: Tri-Form Construction, 199 Liberty Street, Metuchen, NJ 08840 and Eagle Construction Services, Inc., 1624 Jacksonville Road, Burlington, NJ 08016.

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 August 18, 2020.

Mayor Mironov requested that the prior history is included in the Resolution and revisions to paragraph two, three, four in the Resolution. She requested additional information on the funding source but is not looking to hold up the Resolution. She also stated that the bid sheet for the project was not distributed prior to the meeting but is now in Mayor and Council mail boxes for review. She further stated the vendors address should be included in the Resolution and in the attached document. Mayor Mironov stated a memo, dated August 11, was provided to Mayor and Council from the Architect recommending Develop Builders as the lowest bidder and contractor for the project. She stated if the Township uses the existing accordion doors then there is a deduct that could be included but she was requesting further information on that topic and is reserving that right to make the decision at a further date. Mayor Mironov requested that everything be reworked as soon as possible so a pre-construction meeting can be scheduled.

[NOTE: The above Resolution reflects the changes requested.]

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2020-127 with the revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-127 was approved with the revisions.

Resolution R2020-128 Approval of Amendment to Professional Services Agreement with Settembrino Architects for Architectural Services for Addition to Senior Center

RESOLUTION R2020-128
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, by Resolution R2019-077, adopted on May 7, 2019, the Township Council awarded a professional services contract to Settembrino Architects, 25 Bridge Avenue, Suite 201, Red Bank, New Jersey 07701, for professional architectural services for the Senior Center Expansion Project; and

WHEREAS, there is a need to amend that contract to include the revised Scope of Work, as set forth in the attached proposal dated June 17, 2020 and received by the Township on August 10, 2020; and

WHEREAS, an amendment to the existing 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 was 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 recommendations; and

WHEREAS, the contract is amended for up to a maximum additional \$148,000.00, increasing the contract from \$117,000.00 to \$265,000.00, and funds are available in the Account No. G-02-40-950-968-299 entitled "2019 Mercer at Play, Round 2," as evidenced by the Chief Financial Officer's Certification No. G2020-004.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Amendment to Agreement to Settembrino Architects, 25 Bridge Avenue, Suite 201, Red Bank, New Jersey 07701.
2. This Contract is amended without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on August 18, 2020.

Mayor Mironov stated a recommendation memo was provided from the Township Manager for the project. She requested that paragraph four be revised to reflect the actual date received and in paragraph six the increase amount is included. She also requested that a phase accounting needs be included.

[NOTE: The above Resolution reflects the changes requested.]

It was **MOVED** by Zoller, **SECONDED** by Shapiro to approve Resolution R2020-128 with the revisions and conditioned upon the accounting phases.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-128 was approved with the revisions and accounting phases.

Resolution R2020-XXX Approval of Second Addendum to Agreement between East Windsor Township and Community Investment Strategies for Affordable Housing Development

Resolution R2020-XXX was carried till the September 1, 2020 meeting.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Council Member Zoller reported that the Economic Development Committee met on August 6 via Zoom and discussed gateway signs and the art installation project.

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 requested that the last bill on the Capital bill list be pulled in order to review the payment approvals. She also requested additional information on current 2020, page 3 bills list for the OEM and where reductions can be made.

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

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

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

MATTERS BY COUNCIL:

Mayor Mironov reported the following correspondence was provided to Mayor and Council: a letter, dated August 20, to Department of Transportation pertaining to updating the Route 33 freight grant project; a letter, dated July 31, 2020, regarding the transportation alternative set aside grant programs for 2020 that staff is looking into; a letter, dated August 3, 2020, from the Mercer County Department of Human Services regarding a reduction in the Township's Alliance funding, which the Mayor and Council Member Yeager are discussing options on how the Township can accept and use the funding; a memo, dated August 7, from the Township Manager regarding three invoices that were received from Hopewell Valley Engineering for final payment for the Union Transportation Trail project; and a series of memo's were received from the Director of Public Works that need correcting and once corrected Mayor will

report them. Mayor Mironov requested further clarification of the surplus property process and how and when the purchaser pays and where they pick their merchandise up from. The Township Manager stated once the bidder has won the bid they will reach out to the Manager's office to schedule a time for pick-up then exchange item for payment. Mayor Mironov questioned if the bidders are limited to Tuesdays and Fridays. The Township Manager stated he will provide a final update on the process to Mayor and Council. Mayor Mironov stated the New Jersey League of Municipalities has decided to go virtual for the conference this year due to COVID-19. She stated there will be registration fees, classes, programs, and software for the vendors that will still be going on just no hotel stays. Mayor Mironov requested, on behalf of the Planning Board Chairperson, an update on the Shoppes of East Windsor and a copy of the last letter that was submitted to them for enforcement. She requested more information from the Municipal Utilities Authority for the electricity on-line auction that is on their agenda for tomorrow night. Mayor Mironov requested projects similar to this should be discussed with the Township prior to any Resolution or adding to a Township agenda. Mayor Mironov requested a status on the Magnolia Ridge project. Mayor Mironov stated the October 6 National Night Out (NNO) event is cancelled due to the health emergency and several other Townships in the area have also cancelled their NNO events. Mayor and Council unanimously agreed to cancel the event. She stated it would be the desire of the Township to continue the September 11 recognition event subject to additional details and an attendee. Mayor Mironov requested information from the Township Manager on the fees for the Maser project on the Route 130/Hankins/Conover Road project and the health insurance issue. The Township Manager stated he provided the information to the Mayor in her mail tonight.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Delaware Valley Regional Planning Commission FY2020 Congestion Management & Air Quality Improvement Program

Mayor Mironov stated three Resolutions are listed due to her not knowing the approach or information that was provided to Mayor and Council. Mayor Mironov stated several memos, dated May 20, June 20 and August 13, 2020, were distributed to Mayor and Council, from the Township Manager, with applications for review. Mayor and Council agreed to vote on the freight and Union Transportation Trail applications provided that both applications are reworked.

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| A. Resolution R2020-129 | Approval of Filing of Application with Delaware Valley Regional Planning Commission under FY2020 Congestion Management & Air Quality Improvement Program for the Union Transportation Trail |
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**RESOLUTION R2020-129
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Delaware Valley Regional Planning Commission is soliciting grant applications under the FY2020 Congestion Mitigation and Air Quality Program; and

WHEREAS, East Windsor Township desires to submit a grant application for the Union Transportation Trail Extension project.

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

1. The Mayor is hereby authorized and directed to submit an electronic application identified as “Union Transportation Trail” on behalf of East Windsor Township to the Delaware Valley Regional Planning Commission under the FY2020 Congestion Mitigation and Air Quality Program for the Union Transportation Trail Extension, **second priority**.
2. The Mayor is hereby authorized to sign the grant agreement on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on August 18, 2020.

It was **MOVED** by Yeager, **SECONDED** by Shapiro to approve Resolution R2020-129 subject to the application, **second priority**, being revised and reworked prior to submission.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-129 was approved subject to the application, **second priority**, being revised and reworked prior to submission.

B. Resolution R2020-130 Approval of Filing of Application with Delaware Valley Regional Planning Commission under FY2020 Congestion Management & Air Quality Improvement Program for Alternative Truck Route from Wyckoff Mills Road

**RESOLUTION R2020-130
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Delaware Valley Regional Planning Commission is soliciting grant applications under the FY2020 Congestion Mitigation and Air Quality Program; and

WHEREAS, East Windsor Township desires to submit a grant application for the Alternative Truck Route from Wyckoff Mills Road.

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

1. The Mayor is hereby authorized and directed to submit an electronic application identified as “Probasco Road Bypass” on behalf of East Windsor Township to the Delaware Valley Regional Planning Commission under the FY2020 Congestion Mitigation and Air Quality Program for the Alternative Truck Route from Wyckoff Mills Road, **first priority**.
2. The Mayor is hereby authorized to sign the grant agreement on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on August 18, 2020.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2020-130 subject to the application, **first priority**, being revised and reworked prior to submission.

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

There being seven (7) ayes, and no (0) nays, Resolution R2020-130 was approved subject to the application, **first priority**, being revised and reworked prior to submission.

C. Resolution R2020-XXX	Approval of Filing of Application with Delaware Valley Regional Planning Commission under FY2020 Congestion Management & Air Quality Improvement Program for the Extension of Airport Road and Improvements to the Intersection of Airport Road and Route 33
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Mayor Mironov stated the third Resolution was listed but the Township will not be submitting an application at this time.

2. Exeter Road Area New Jersey Department of Transportation Grant: Project Status

Mayor Mironov stated this topic was listed due to the grant expiring and to ensure that the project is and will be moving forward. Mayor Mironov requested the topic to be listed on the next agenda to ensure that the project went out to bid. She requested an answer from Department of Public Works if they are ready to move on the bid process once the Township gets the sign off from Department of Transportation.

3. Communication Dispatch Services: Update and Status

Mayor Mironov stated this topic was discussed at the January 28 Council meeting when the agreement was renewed and requested that it was listed on tonight's agenda as a reminder to get information together prior to the expiration. She stated that she has asked for information twice now and has not received any information on this topic.

MATTERS BY PUBLIC:

Lea Kahn from the Windsor Heights Herald questioned what the start date will be for the senior center expansion project. Mayor Mironov stated as soon as possible. She further stated as soon as all documents are received the project will move forward.

ADJOURNMENT: Meeting adjourned at 6:52 p.m.

Next Meeting: September 1, 2020

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor