

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, October 19, 2021

5:30 p.m.

via ZOOM

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, October 19, 2021.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on January 11, 2021 in the annual meeting notice. On October 15, 2021, notices were sent to the Trenton Times, filed in the office of the Municipal Clerk and posted in the East Windsor Municipal Building. All requirements of the open public meeting act have been satisfied.

FLAG SALUTE: Led by Council Member Denise Daniels.

ROLL CALL:

Present were Council Members Denise Daniels, Marc Lippman, Alan Rosenberg, David Russell, John Zoller and Mayor Janice Mironov. Deputy Mayor Peter Yeager was absent. Also present were Township Attorney David Orron, Township Manager James Brady and Municipal Clerk Allison Quigley.

PRESENTATIONS & PROCLAMATIONS:

Domestic Violence Awareness Month – October 2021 (October 19, 4 p.m.)

*Eagle Scout Project Presentation by Alex Mudry, Boy Scout Troop 59

Alex Mudry proposed building two six-foot long benches under the pavilion adjacent to the Community Garden and a sign designating the East Windsor Community Garden to the left of the garden in Disbrow Hill Road Park. The benches will be installed back-to-back and the sign will be weatherized with the color being decided by the Township. The project is expected to be completed by December 31st, 2021. Mr. Zoller asks how the benches will be secured. Mr. Mudry responded bench legs will be secured with L brackets drilled into the flooring. Mayor Mironov requests Mr. Mudry follow up with the Mayor's office to finalize the location of the sign, which would be marked by Mr. Mudry with flags.

It was MOVED by Zoller, SECONDED by Lippman to endorse Eagle Scout Project of Alex Mudry, Boy Scout Troop 59 to design, build and install two six-foot long benches under the pavilion adjacent to the Community Garden and a sign designating the East Windsor Community Garden to the left of the garden in Disbrow Hill Road Park.

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

There being six (6) ayes and no (0) nays, the Eagle Scout Project of Alex Mudry, Boy Scout Troop 59 was endorsed to design, build and install two six-foot long benches under the pavilion adjacent to the

Community Garden and a sign designating the East Windsor Community Garden to the left of the garden in Disbrow Hill Road Park.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

David Monahan was interviewed and is interested in volunteering for the Planning Board or Economic Development Committee.

Sarah Rajan was interviewed and is interested in volunteering for the Health Advisory Board or the Commission on Aging as a student volunteer.

PUBLIC FORUM:

Alexander Roubian, 120 Woods Road, East Windsor, asked if there would be a public comments portion.

MINUTES:

December 8, 2020
March 9, 2021
March 23, 2021
April 6, 2021
April 20, 2021
May 4, 2021
May 18, 2021
June 8, 2021
June 22, 2021
July 20, 2021
August 3, 2021
August 17, 2021
September 21, 2021
October 5, 2021

Mayor Mironov held the minutes of March 9, 2021, March 23, 2021, and April 6, 2021 pending revisions. All remaining minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance No. 2021-06

An Ordinance Authorizing the Execution and Recording of a Grant Easement Agreement in Connection with the Construction, Installation and Maintenance of a New PSE&G Underground

Distribution Gas Line in the Township of East Windsor, New Jersey Block 35, Lots 13.01, 13.02 and 13.03

ORDINANCE NO. 2021-06

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

AN ORDINANCE AUTHORIZING THE EXECUTION AND RECORDING OF A GRANT EASEMENT AGREEMENT IN CONNECTION WITH THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A NEW PSE&G UNDERGROUND DISTRIBUTION GAS LINE ON PROPERTY TO THE REAR OF ROUTE 130 NORTH KNOWN AS PORTIONS OF BLOCK 53, LOTS 13.01, 13.02 AND 13.03 IN THE TOWNSHIP OF EAST WINDSOR, NEW JERSEY

WHEREAS, the Township owns real property adjacent to northbound US Route 130, commonly known as Westfield Road, which parcels are designated on the East Windsor Township Tax Maps as 581 Route 130 (Block 53, Lot 13.01), 565 Route 130 Rear (Block 53, Lot 13.02), and 585 Route 130 Rear (Block 53, Lot 13.03) (“the Property”); and

WHEREAS, the natural gas provider for the Township, Public Service Electric and Gas Company (“the Company”), desires to construct and install a distribution gas line under and through the Property to improve natural gas supply to Township residents in a nearby housing development; and

WHEREAS, the Property is located in an ideal and preferred location for construction and installation of the desired distribution gas line; and

WHEREAS, the Township has considered the request of the Company to grant an easement on the Property to allow the construction, installation and maintenance of a distribution gas line to improve natural gas service for area residents, and the Township wishes to grant the easement for this purpose, as set forth in the attached Grant of Easement for Block 53, Lots 13.01, 13.02, and 13.03; and

WHEREAS, the Township has determined that it is in the best interest of East Windsor Township that the attached Grant of Easement be executed and recorded.

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

SECTION 1. The Mayor and Municipal Clerk are hereby authorized and directed to execute and record the attached Grant of Easement as to Block 53, Lots 13.01, 13.02, 13.03 in the form attached hereto, in order to facilitate the construction, installation and maintenance of a distribution gas line.

SECTION 2. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. 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 4. This Ordinance shall take effect 20 days after final passage and publication according to law.

Mayor Mironov inquires if all necessary personnel have reviewed the Ordinance. Mr. Brady responded the Tax Assessor should confirm the information within the Ordinance is accurate. Mayor Mironov requested minor changes including changes to the Ordinance title, eliminating the fifth paragraph, and the correction of a typo. Mr. Orron suggests including a provision in the Grant of Easement subjecting the Grantee to all applicable municipal ordinances regulating road opening permits and restoration.

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

It was MOVED by Lippman, SECONDED by Rosenberg to conditionally approve subject to review with revisions Ordinance 2021-06 on introduction, authorize publication as required by law and set a public hearing for November 2, 2021.

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

There being six (6) ayes, and no (0) nays, Ordinance 2021-06 was conditionally approved subject to review with revisions on introduction, authorize publication as required by law and set a public hearing for November 2, 2021.

RESOLUTIONS:

Resolution R2021-171 Authorization to Change Custodian for the East Windsor Municipal Clerk
Petty Cash Fund

RESOLUTION R2021-171

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, Kelly Lettera was the custodian of the Municipal Clerk Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of East Windsor is changing custodians of the Municipal Clerk Petty Cash Fund to Allison Quigley, Municipal Clerk; and

WHEREAS, Allison Quigley is bonded in the amount of \$1,000,000.00 by virtue of a blanket surety bond and such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedure.

NOW, THEREFORE, BE IT RESOLVED that the Township, of East Windsor, County of Mercer hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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 October 19, 2021.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2021-171.

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

There being six (6) ayes and no (0) nays, Resolution R2021-171 was approved.

Resolution R2021-172 Approval of Application for Person-to-Person Transfer of Plenary Retail Consumption Alcoholic Beverage License No. 1101-33-021-006, CB East Windsor, LLC to KRS License Holdings, LLC, (Pocket Liquor License)

RESOLUTION R2021-172

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, an application has been filed with the Municipal Clerk for a Person-to-Person Transfer of Plenary Retail Consumption License No. 1101-33-021-006 from CB East Windsor, LLC to KRS License Holdings, LLC; and

WHEREAS, the submitted application form is complete in all respects and the transfer fees have been paid; and

WHEREAS, notice of the application has been published in the Trenton Times on May 20, 2021 and May 27, 2021 as evidenced by an Affidavit of Publication; and

WHEREAS, the Chief of Police has reported that there are no facts or circumstances that would preclude the transfer and has no objection; and

WHEREAS, no objections have been made to the transfer of this license.

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

1. The application for person-to-person transfer of Alcoholic Beverage License No. 1101-33-021-006 from CB East Windsor, LLC to KRS License Holdings, LLC, is hereby approved.
2. The Municipal Clerk is hereby authorized and directed to endorse the license pursuant to N.J.A.C. 13:2-7.14.

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 October 19, 2021.

Mayor Mironov stated a memo from the Clerk's office dated September 27th was distributed. Mr. Rosenberg brings a typo on the agenda regarding the Plenary Retail Consumption Alcoholic Beverage License number to Mayor and Council's attention.

It was MOVED by Daniels, SECONDED by Zoller to approve Resolution R2021-172.

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

There being six (6) ayes and no (0) nays, Resolution R2021-172 was approved.

Resolution R2021-173 Approval of Purchase of Turnout Gear, Coats and Pants, from SAFE-T,
for East Windsor Volunteer Fire Company No. 2

RESOLUTION R2021-173

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase two turnout coats and three pairs of turnout pants for the East Windsor Volunteer Fire Company No. 2; and

WHEREAS, three written quotes were obtained to provide this equipment; and

WHEREAS, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the lowest cost proposal for the turnout equipment was submitted by SAFE-T through State Contract # 17-FLEET-00810 which is valid through June 14, 2022; and

WHEREAS, the Township Council has reviewed the Township Manager's and the East Windsor Volunteer Company No. 2 Fire Chief's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$7,785.74 and funds are available in Capital Account No. C-04-55-980-923-541 entitled Ordinance 2019-01 "FC #2 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No. C2021-030.

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

1. The Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition under State Contract No. 17-FLEET-00810, to: SAFE-T, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457, for the purchase of two Morning Pride LTO 62I3 turn out coats in the amount of \$1,927.12 each, and three Morning Pride LTO 62I3 turnout pants in the amount of \$1,310.50 each, for a total amount not to exceed \$7,785.74, 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 October 19, 2021.

Mayor Mironov stated a memo from the Township Manager and Volunteer Fire Company #2 Fire Chief Batista was distributed. Mayor Mironov noted that Resolutions 2021-173 and 2021-174 are for the same purchase from the same vendor. Prior to the Council Meeting, the Township Manager informed Mayor Mironov that Fire Chief Batista had submitted two separate requests believing it was necessary given the funding sources are different. Mayor Mironov notes that this is not the correct procedure but the vendor is an authorized State Contract vendor so separating the Resolutions have no bearing with Mayor and Council's ability to move forward.

It was MOVED by Rosenberg, SECONDED by Russell to approve Resolution R2021-173.

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

There being six (6) ayes and no (0) nays, Resolution R2021-173 was approved.

Resolution 2021-174 Approval of Purchase of Turnout Gear, Coats and Pants, from SAFE-T,
for East Windsor Volunteer Fire Company No. 2

RESOLUTION R2021-174

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase four turnout coats and three pairs of turnout pants for the East Windsor Volunteer Fire Company No. 2; and

WHEREAS, three written quotes were obtained to provide this equipment; and

WHEREAS, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the lowest cost proposal for the turnout equipment was submitted by SAFE-T through State Contract # 17-FLEET-00810 which is valid through June 14, 2022; and

WHEREAS, the Township Council has reviewed the Township Manager's and the East Windsor Volunteer Company No. 2 Fire Chief's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$11,639.98 and funds are available in Capital Account No. C-04-55-980-924-541 entitled Ordinance 2020-07 "FC #2 Turnout Gear", as evidenced by the Chief Financial Officer's Certification No. C2021-028.

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

1. The Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition under State Contract No. 17-FLEET-00810, to: SAFE-T, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457, for the purchase of four Morning Pride LTO 62I3 turn out coats in the amount of \$1,927.12 each, and three Morning Pride LTO 62I3 turnout pants in the amount of \$1,310.50 each, for a total amount not to exceed \$11,639.98, 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 October 19, 2021.

Mayor Mironov stated a memo from the Township Manager and Volunteer Fire Company #2 Fire Chief Batista was distributed.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2021-174.

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

There being six (6) ayes and no (0) nays, Resolution R2021-174 was approved.

Resolution R2021-175 Authorizing Purchase of Two Heater Pumps for Municipal Building from
SG Heating and Air Conditioning, LLC

RESOLUTION R2021-175

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there is an immediate need to replace two water pumps for the Municipal Building heating system; and

WHEREAS, the Township advertised for bids for the replacement water pumps, with a bid opening date of September 23, 2021, but no bids were received; and

WHEREAS, with the approaching late fall and winter, and the lead time for delivery of the two water pumps, there is not sufficient time to allow for a second advertisement for bids before the Municipal Building will be without a reliable source of heat; and

WHEREAS, the Township Council has reviewed the Township Manager's Statement for Need of Emergency Purchase and Resolution, dated October 13, 2021 and revised October 19, 2021, attached and incorporated herein, which declares this to be an emergency procurement under the New Jersey Local Public Contracts Law N.J.S.A.40A:11-6 et. seq., and finding that the purchase may be made without public bidding; and

WHEREAS, an emergency contract pursuant to N.J.S.A. 40A:11-6, may be awarded without public advertisement for bids and bidding as the lack of a heating system for the Municipal Building during the late fall and early winter creates an emergency affecting the public health and safety, requiring the immediate purchase and installation of the two water pumps for Municipal Building the heating system; and

WHEREAS, pursuant to the New Jersey Local Public Contracts Law, specifically N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, the Township Manager has transmitted a memorandum to the Township Council, certifying the existence of an emergency purchasing need; that the need for the purchase was foreseen and bids were solicited, but none received; that there is insufficient time before the heating season to readvertise for bids; and that the contract is limited to meet the immediate needs of the emergency, a copy of which memorandum is attached and incorporated in this Resolution; and

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

WHEREAS, the lowest cost proposal was submitted by SG Heating and Air Conditioning, LLC; and

WHEREAS, the maximum amount of the purchase is \$21,080 and funds are available in Capital Fund Account No. C-04-55-970-918-424 entitled Ordinance 2015-09 "Building Repairs" in the amount of \$21,080, as evidenced by the Chief Financial Officer's Certification No.C2020-010.

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

1. The Manager and Chief Finance Officer are hereby authorized and directed to approve and forward a purchase order to SG Heating and Air Conditioning, 50 Cunningham Avenue, Hamilton NJ 08610, for the purchase and installation of two new heater pumps, in the amount of \$10,040 each, for a total amount not to exceed \$21,080, 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 October 19, 2021.

Mayor Mironov requests the Resolution reflect the receipt of three quotes, that all quotes and information be made available as part of the public record, and that the fourth paragraph further

references the Township Manager's Statement for Need of Emergency Purchase and Certification. Township Attorney Orron confirms the purchase is an emergency procurement under New Jersey Public Contracts Law and recommends the Township Manager's Statement reflect the receipt of three quotes.

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

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2021-175 with revisions and conditions.

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

There being six (6) ayes and no (0) nays, Resolution R2021-175 was approved with revisions and conditions.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Mr. Zoller stated the Economic Development Committee reviewed plans for the expansion of Aurobindo Pharma USA, Inc. and plans for a grand opening event of Crunch Fitness at Windsor Crossing. Additionally, the Committee has six sponsors for Township gateway signs with the hope of adding additional sponsors, is estimating costs for signage at the Rt. 33 130 entrance, and soliciting nominations from the community for the Business Awards. The Planning Board heard and approved the Kaplan proposal for 641 North Main Street. The project will be memorialized with a resolution at a later time. The Board also discussed a warehouse project, land banked parking, and site triangle easement project on Wyckoff Mills Road. Ms. Daniels reported the Health Advisory Board discussed initiatives for 2022 and the successes of the Community Garden during the 2021 season. Mayor Mironov reported she attended the ribbon cutting for NJ RISE at 214 Franklin Street, Hightstown with Mr. Rosenberg and attended the ribbon cutting and grand opening of Be The Light with Mr. Yeager.

CORRESPONDENCE:

Mayor Mironov stated correspondence will be discussed during Matters By Council.

APPOINTMENTS:

APPROVAL OF BILLS:

Mayor Mironov stated a 2021 Current Bill list, 2020 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

It was MOVED by Lippman, SECONDED by Rosenberg to approve the Bill Lists.

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

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

MATTERS BY COUNCIL:

Mayor Mironov stated the Township held a flu clinic on October 14th and will hold another on October 28th. Operation Medicine Cabinet will be held on October 23rd from 10am-2pm. The Recreation Department will be hosting a Halloween event at Etra Park on October 23rd. Rabies clinics will be held on November 6th and 13th. Mr. Bock and Police Chief Geary received similar correspondence that the Chief is currently looking into. The Tax Collectors report for the period ending September 30th, 2021 was received as well as a recommendation from the Department of Public Works regarding payment on the Cranbury Manor roadway project. Fire Chief Fire Co. 2 sent a memo stating the inspection and acceptance of the new fire truck. The Township's application for the 2021 New Jersey Urban and Community Forestry program Grant was approved. The Health Department's PowerPoint presentation from the previous Council meeting has been distributed.

Mayor Mironov requested an update on the follow-up call which took place with the New Jersey Urban and Community Forestry program regarding the Township's awarded grant. The Mayor stated the Township is accepting a 90-day extension from Sustainable Jersey to complete the sign project and publicize. Mayor Mironov shared visuals of the sign. She also requested a report on the Cranbury Manor roadway project. Mayor Mironov received correspondence from Mercer County regarding the Farmland Preservation department and requests the item be listed for discussion at the Council meeting.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. *Eagle Scout Project Presentation by Alex Mudry, Boy Scout Troop 59
2. 2021 Municipal Budget
 - a. Status: Expenditures, Encumbrances
 - b. American Rescue Plan Funds

Mayor Mironov states this matter was carried over from the last meeting. The Mayor, Township Manager, and Township C.F.O. had a productive meeting and feels the Township is on the correct path to receive follow-up and answers to the remaining items and questions. The Mayor requests that a closer look be taken at American Rescue Plan Funds to see how they can be utilized in the 2021/2022/2023 budget. She stated that this item will need to appear on a future Council Meeting agenda.

3. New Jersey Local Government Services CY 2021 Best Practices Inventory

Mr. Zoller stated that the Environmental Commission would have an interest in an electric vehicle charging station. The Mayor stated she agreed with the Environmental Commission. Mr. Zoller also

stated that he was surprised to see Question 40 was not answered. Mr. Brady stated that the question has since been answered and will be included in the Inventory submission.

Regarding Question #2, Mayor Mironov asks if there are any items in the Township's collective negotiated agreements that would be at odds with the Township employee personnel manual and wished the answer changed to a yes. Mr. Brady stated he would look into the matter.

4. Redevelopment of 200 Milford Road (Block 22.02, Lots 2.02, 8.01, 11.01)

Resolution R2021-176 Designating 200 Milford Road (Block 22.02, Lots 2.02, 8.01, 11.01) as a Non-Condemnation Area in Need of Redevelopment Pursuant to the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.)

RESOLUTION R2021-176

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY**

**RESOLUTION DESIGNATING "200 MILFORD ROAD"
(BLOCK 22.02, LOTS 2.02, 8.01 AND 11.01)
AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT
TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW
(N.J.S.A. 40A: 12 A-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 within the municipality constitute an area in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, the Township Council of the Township of East Windsor, pursuant to Resolution R2021-036 adopted February 9, 2021, authorized and directed the East Windsor Planning Board ("Board") to conduct a preliminary investigation to determine whether the area consisting of Block 22.02, Lots 2.02, 8.01 and 11.01, and commonly referred to as the "200 Milford Road" site (the "Study Area") met the criteria set forth in *N.J.S.A. 40A:12A-5* and should be designated as an area in need of redevelopment; and

WHEREAS, the Planning Board, by Resolution 2021-14, adopted on April 5, 2021, authorized and directed its planning consultants Burgis Associates, Inc. to conduct a preliminary investigation to determine whether the Study Area should be designated an area in need of

redevelopment and to prepare a report on the Board's behalf regarding the results of that investigation; and

WHEREAS, Burgis Associates, Inc. prepared a map depicting the Study Area as well as a report entitled "BLOCK 22.02, LOTS 2.02, 8.01 AND 11.01 AREA IN NEED OF REDEVELOPMENT STUDY," dated June 7, 2021 (the "Report"), regarding the determination of the Study Area as an area in need of redevelopment; and

WHEREAS, the Redevelopment Law requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Board conducted its public hearing on August 16, 2021, at which it heard the testimony of its planning consultant, Edward Snieckus, Jr. PP, ASLA; reviewed Exhibit PB-1, consisting of the above-referenced Report and took comments and questions from members of the public; and

WHEREAS, the meeting and public hearing were duly noticed in accordance with the requirements of the Open Public Meetings Act and the Redevelopment Law; and

WHEREAS, members of the general public were provided an opportunity to present evidence concerning the potential designation of the Study Area as a non-condemnation area in need of redevelopment, and an opportunity to cross-examine the Board's consultants and to address questions to the Board and its representatives concerning the potential designation of the Study Area as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Report and testified to the Planning Board on August 16, 2021 that there was evidence to support the following findings:

- (i) the **200 Milford Road Property** satisfies the criteria for redevelopment area designation set forth in *N.J.S.A. 40A:12A-5c* (Block 22.02, Lots 2.02, 8.01 and 11.01); and

WHEREAS, after the conclusion of the public hearing described above, the Planning Board adopted a Resolution (the "Board Resolution") finding and concluding that the Study Area qualified as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5c*; and

WHEREAS, the Planning Board, by Resolution 2021-18, adopted on October 18, 2021, recommended that the East Windsor Township Council designate the Study Area as a non-condemnation redevelopment area pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, the Township Council agrees with the conclusion of the Planning Board that the Study Area meets the criteria for redevelopment area designation, and the Township Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Township Council now desires to designate the Study Area as a non-condemnation area in need of redevelopment, pursuant to *N.J.S.A. 40A:12A-6*; and

WHEREAS, the Township Council further desires to authorize and direct the Planning Board to cause a redevelopment plan to be prepared for the Study Area and present same to the Township Council pursuant to *N.J.S.A. 40A:12A-7f*.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby designates the **200 Milford Road** (Block 22.02, Lots 2.02, 8.01 and 11.01) property, referred to as the “Study Area,” as a non-condemnation area in need of redevelopment, pursuant to *N.J.S.A. 40A:12A-6*.
3. The Planning Board is hereby authorized and directed to cause a redevelopment plan to be prepared for the Redevelopment Area and to present same to the Township Council pursuant to *N.J.S.A. 40A:12A-7f*.
4. This Resolution shall be forwarded to the Commissioner of Community Affairs pursuant to *N.J.S.A. 40A:12A-6(b)(5)(c)* and shall be served on all persons entitled to notice pursuant to *N.J.S.A. 40A:12A-6(b)(5)(d)*.

I certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on October 19, 2021.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2021-176.

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

There being six (6) ayes and no (0) nays, Resolution R2021-176 was approved.

5. LexisNexis eCommerce Services & Electronic Crash Reports for the East Windsor Police Department

Mayor Mironov states that a memo from Police Chief Geary has been distributed. Mayor Mironov asks for details on implementation and timeline, if the Township will lose any revenue and if the Township would receive reports from the system for free. Police Chief Geary responds he anticipates an increase of \$2,400 in revenue, the steps for implementation are contract execution and training, and anticipates the timeline to be a few weeks to ensure the information is posted on the website for access by residents. The Township would receive any report in the system at no cost. Mayor Mironov asks if there is any potential downside to moving to a new system. Chief Geary responds the only potential downside would be if the vendor decides to start charging for the service but if that happens other vendor options can be explored. Mr. Zoller asks for confirmation that changing systems is a no-cost solution and if any special equipment is required. The Chief confirms there will be no cost to the Township or special equipment required. Mayor and Council agree to list the contract on a future agenda when appropriate.

6. 330 Wyckoff Mills Road Developer's Agreement Addendum

Mayor Mironov requests the Township Attorney draft an addendum to the Developer's Agreement for approval by Mayor, Council, and the developer addressing outstanding Conditions #18 and #19.

MATTERS BY PUBLIC:

Alexander Roubian, 120 Woods Road, East Windsor, states he hopes to get involved with the Township and is excited to hear about the volunteer opportunities within East Windsor.

ADJOURNMENT:

Next Meeting: November 2, 2021

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor