

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, August 3, 2021

4:00 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 4:00 p.m. on Tuesday, August 3, 2021.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2021 in the annual meeting notice. On July 30, 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 Assistant Township Manager Christopher Jackson.

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:

National Night Out (August 3, 2021)

Mayor Mironov stated National Night Out would begin at 6 pm this evening at the Police/Court Building.

PUBLIC FORUM:

No one spoke from the public.

MINUTES:

September 22, 2020

It was **MOVED** by Rosenberg, **SECONDED** by Yeager to approve the September 22, 2020 minutes.

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

There being seven (7) ayes and no (0) nays, the September 22, 2020 minutes were approved.

December 22, 2020

It was MOVED by Daniels, SECONDED by Zoller to approve the December 22, 2020 minutes.

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

There being seven (7) ayes and no (0) nays, the December 22, 2020 minutes were approved.

The January 5, January 12, January 26 and February 9 minutes were held. The remaining minutes were held until the next regularly scheduled Council meeting.

RESOLUTIONS:

Resolution R2021-136 Chapter 159 – Amending the 2021 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for New Jersey
Department of Health COVID-19 Vaccination Supplemental
Funding 2022

**RESOLUTION R2021-136
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2021 in the sum of \$50,000 which item is now available as revenue from State of New Jersey Department of Health under the COVID-19 Vaccination Supplemental Funding 2022 Program.
2. A like sum of \$50,000 is hereby appropriated under the caption New Jersey Department of Health COVID-19 Vaccination Supplemental Funding 2022 Program.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Resolution R2021-136.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-136 was approved.

Resolution R2021-137 Approval of Change Order #1 to Contract for the Resurfacing and Associated Repairs for Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive with Meco, Inc.

RESOLUTION R2021-137
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, on September 22, 2020, by Resolution R2020-162 the Township Council authorized a contract with Meco Inc. in the amount of \$865,172.05 for the Resurfacing and Associated Repairs for Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive; and

WHEREAS, Change Order #1 has been requested to increase the contract amount by \$14,606.05 to reflect the actual as built quantities; and

WHEREAS, on April 20, 2021, the Township Council authorized payment #1 to Meco Inc. in the amount of \$136,761.94; and

WHEREAS, on May 4, 2021, the Township Council authorized payment #2 to Meco Inc. in the amount of \$123,566.24; and

WHEREAS, on June 22, 2021, the Township Council authorized payment #3 to Meco Inc. in the amount of \$601,854.35; and

WHEREAS, the Director of Public Works has reviewed and approved the need for change order #1 and recommended approval of Payment #4; and

WHEREAS, the maximum amount of the change order is \$14,606.05 and the Chief Finance Officer has determined that sufficient funds are available in Capital Account No. C-04-55-980-924-890, entitled Ordinance 2020-07 "Annual Road Program" to increase the contract amount by \$14,606.05 for a total amount not to exceed \$879,778.10, as evidenced by the Chief Finance Officer's Certification No. C2021-014.

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 attached Change Order No. 1 to the contract with Meco Inc., 37 Prodelin way, Millstone, NJ 08535, to increase the contract amount by \$14,606.05 from \$865,172.05 to \$879,778.10 is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the necessary documents to effect Change Order # 1.
3. The funding source for the entire contract amount of \$879,778.10, is amended to Capital Account No. C-04-55-980-924-890, entitled Ordinance 2020-07 "Annual Road Program".
4. The Township Council approves payment #4 in the amount of \$17,595.57 and will retain until submission of a two-year maintenance bond is received.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2021-137.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-137 was approved.

Resolution R2021-138 Approval of Award of Contract for Resurfacing and Associated Repairs to Oak Branch Road, Pinehurst Drive, Piney Branch Road and Warren Drive with Meco, Inc.

**RESOLUTION R2021-138
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the Resurfacing and Associated Repairs to Oak Branch Road, Pinehurst Drive, Piney Branch Road and Warren Road; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on June 16, 2021 for the Resurfacing and Associated Repairs to Oak Branch Road, Pinehurst Drive, Piney Branch Road and Warren Road and eight bids were received on July 15, 2021 by the Municipal Clerk’s Office; and

WHEREAS, the lowest responsible bid was submitted by Meco, Inc.; and

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

WHEREAS, the maximum amount of the purchase is \$731,699.50 and sufficient funds are available in Grant Fund Account No. G-02-40-950-900-299 entitled “DOT Grant-Oak Branch Road”, in the amount of \$530,000, Capital Account, C-04-55-953-913-890 entitled Ordinance 2013-04 “Annual Road Program”, in the amount of \$4,070.07, Capital Account C-04-55-980-920-890, entitled Ordinance 2017-02 “Annual Road Program”, in the amount of \$24,980.91 and in Capital Account C-04-55-980-921-890, entitled Ordinance 2017-15 “Annual Road Program”, in the amount of \$172,648.52 for a total amount not to exceed \$731,699.50, as evidenced by the Chief Finance Officer’s Certification No. C2021-015 and G2021-003.

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 to Oak Branch Road, Pinehurst Drive, Piney Branch Road and Warren Road is awarded to Meco, Inc., 37 Prodelin Way, Millstone Township, New Jersey 08535, in an amount not to exceed \$731,699.50.
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: Earle Asphalt Company, P.O. Drawer 556,

Farmingdale, NJ 07727; Black Rock Enterprises LLC, 1316 Englishtown Road, Old Bridge, NJ 08857; Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876; S. Brothers, Inc., P.O. Box 317, South River, NJ 08882; Richard T. Barrett Paving Company, Inc., 400 Prospect Street, Trenton, New Jersey 08618; Reivax Contracting Corporation, 68 FINDERNE Avenue, Bridgewater, NJ 08807; and Lima Charlie Construction, One Broad Street, Suite 4, Freehold, NJ 07728.

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2021-138.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-138 was approved.

Resolution R2021-139 Approving Award of Contract to Municipal Inspection Corporation for Elevator Inspection Services

RESOLUTION R2021-139
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need for private elevator on-site inspection and plan review services; and

WHEREAS, the Township solicited quotes from the New Jersey Department of Community Affairs certified vendors by a notice seeking requests for proposals which was posted and distributed on May 18, 2021, for private elevator on-site inspection and plan review services and one proposal was received by the Township Clerk by the required date of June 24, 2021; and

WHEREAS, one cost proposal was submitted by Municipal Inspection Corporation was responsive to the request of proposals at 100% of the New Jersey Department of Community Affairs fees; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Trust Fund Account No. T-13-56-854-802 entitled “Elevator Inspections”, as evidenced by the Chief Financial Officer’s Certification No. T2021-002.

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

1. The Contract for Private Elevator On-site Inspections and Plan Review is hereby awarded to Municipal Inspection Corporation, 183 West 4th Street, Bayonne, NJ 07002, for a period of two years, commencing August 1, 2021 and ending July 31, 2023, at 100% of the New Jersey Department of Community Affairs fees.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the Contract for same.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2021-139.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-139 was approved.

Resolution R2021-140 Approval of Shared Services Agreement with Mercer County for Grant Funding for FY21 (July 1, 2021 to June 30, 2022) for East Windsor Municipal Alliance for the Prevention of Substance Abuse

**RESOLUTION R2021-140
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Municipal Alliance for the Prevention of Substance Abuse has been awarded a grant by the Mercer County Department of Human Services, Division of Drug and Alcohol, for FY22 (July 1, 2021 through June 30, 2022) in the amount of \$14,843.00; and

WHEREAS, in order to obtain such grant, it is necessary that the Mayor and Township Council approve the Contract with the County of Mercer.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached “Shared Services Agreement between East Windsor Township and County of Mercer” for the East Windsor Municipal Alliance Program, for FY2022, for the term of July 1, 2021 through June 30, 2022, in the amount of \$14,843.00.
2. The East Windsor Municipal Alliance for the Prevention of Substance Abuse and the Township of East Windsor agree to perform services described in the program specifications in the manner and upon the terms specified and to complete and file the required programmatic reports.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2021-140.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-140 was approved.

Resolution R2021-141 Approval of Shared Service Agreement with East Windsor Regional School District and Borough of Hightstown for Joint Fueling Facility

**RESOLUTION R2021-141
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on May 1, 1992, an interlocal services agreement was entered between East Windsor Township, Hightstown Borough and East Windsor Regional School District expiring April 30, 2012 for a joint fueling facility; and

WHEREAS, on May 1, 2012, by Resolution R2012-98, Mayor and Council approved a five-year term, commencing on May 1, 2012 through April 30, 2017; and

WHEREAS, the parties desire to enter into another successor Agreement for a new five term commencing July 1, 2019 through June 30, 2024 to continue a joint fueling facility between East Windsor Township, Hightstown Borough and East Windsor Regional School District; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Director of Community Development's recommendations on this agreement.

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 Council hereby approves the attached Shared Services Agreement and Memorandum of Understanding between East Windsor Township, Hightstown Borough and East Windsor Regional School District for the Joint Fueling Facility, for a period of July 1, 2019 through June 30, 2024.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Shared Services Agreement and the attached Memorandum of Understanding.

It was **MOVED** by Zoller, **SECONDED** by Shapiro to approve Resolution R2021-141.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-141 was approved.

Resolution R2021-142 Approval of 2021 Public Donor Agreement between Better Beginnings Child Development Center and East Windsor Township

RESOLUTION R2021-142
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a desire to provide a donation to Better Beginnings Child Development Center of East Windsor/Hightstown, NJ, Inc. for day care services for residents of East Windsor Township; and

WHEREAS, such services are to be provided by Better Beginnings Child Development Center of East Windsor/Hightstown, NJ, Inc. through a program supervised and administered by the New Jersey Department of Human Services; and

WHEREAS, the amount of the donation is \$22,750.00 and funds are available in the Current Fund Account No 1-01-27-360-360-285 entitled “Better Beginnings Contribution,” as evidenced by the Chief Financial Officer’s Certification No. B2021-028.

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 Mayor is hereby authorized and directed to execute the attached 2020 Public Donor Agreement with Better Beginnings Child Development Center of East Windsor/Hightstown, NJ, Inc., 318 North Main Street, P.O. Box 187, Hightstown, New Jersey 08520, commencing January 1, 2021 through December 31, 2021, for a donation in the amount of \$22,750.00, in accordance with the attached agreement.

It was **MOVED** by Daniels, **SECONDED** by Shapiro to approve Resolution R2021-142.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-142 was approved.

Resolution R2021-143 Approval of Amendment to Professional Services Agreement for Hearing Officer with Brian P. Trelease of Rainone Coughlin Minchello, LLC

RESOLUTION R2021-205
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, on January 26, 2021, by Resolution R2021-025, the Township Council, after soliciting proposals and in accordance with the Local Public Contracts Law as defined in N.J.S.A. 40A:11-5(1)(a)(i), approved a professional services agreement with Brian P. Trelease as the Hearing Officer on behalf of the Township of East Windsor in the amount of \$5,000; and

WHEREAS, the Township needs to amend the Agreement to increase the contract amount by \$7,525.00 to \$12,525.00; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager; and

WHEREAS, the amount of compensation authorized under this Amendment to the Agreement for professional services with Brian P. Trelease is \$7,525.00 for a total contract amount not to exceed \$12,525.00 and sufficient funds are available in Current Fund Account No. 1-01-25-240-304-249 entitled “Licensed Professional – Police Admin”, as evidenced by the Chief Financial Officer’s Certification No. B2021-035.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Amendment to the Agreement for hearing officer services between the Township of East Windsor and Brian P. Trelease, 555 US Highway 1 South, Iselin, NJ 08830, increasing the agreement by \$7,525.00 for a total agreement amount not to exceed \$12,525.00.
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.

It was MOVED by Zoller, SECONDED by Yeager to approve Resolution R2021-142.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-142 was approved.

REPORTS BY COUNCIL AND STAFF:

Mr. Zoller reported the Environmental Commission met on July 21 and discussed the Community Forestry Management Plan and the Township's Sustainable Jersey certification. He also reported that they are reviewing the signage for the Etra Park Arboretum and the signage options would be shared with Council before being finalized.

Mr. Rosenberg reported the Clean Communities Committee met on July 22 and discussed the Litter Free Business award, the upcoming Recycling day event and their participation at National Night Out.

CORRESPONDENCE:

Mayor Mironov stated she would review correspondence during Matters by Council.

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 with the holds and clarifications.

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

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

There being seven (7) ayes and no (0) nays, the various Bills lists were approved.

MATTERS BY COUNCIL:

Mayor Mironov stated the following correspondence had been received: a memo from the Township Manager dated July 13 regarding questions raised at the July 12 Council meeting; a memo from the Police Department dated July 15 regarding uniforms; a letter from Mercer County Department of Transportation dated July 22 regarding a milling and resurfacing project on Stockton Street; an undated letter from the Mercer County Executive's office, received on July 20, regarding pedestrian markings on Route 571 and no trucks signage on North Main Street; and the updated tax rate pie chart provided by the Tax Collector.

Mayor Mironov stated Council had previously discussed the possibility of a fireworks event at the end of September, and asked staff to provide information on what options there might be. Mr. Lippman expressed his concerns about Covid safety during the event. Mr. Zoller, Mr. Rosenberg, Mr. Yeager, Mr. Shapiro and Ms. Daniels all agreed with Mr. Lippman's comments. Mayor Mironov agreed with Mr. Lippman and stated the Township would not host a fireworks event in September.

Mayor Mironov requested the Police Chief provide potential locations for "no engine braking" signage. Mr. Zoller stated a pedestrian crossing sign has fallen down near the Route 133 exit ramp along One Mile Road and needs to be fixed.

Mayor Mironov stated a request for payment from the contractor for Shagbark Lane and Charred Oak Lane and directed staff to review the current procedures for releasing payments and to provide information on any outstanding items to be addressed by the contractor.

Mayor Mironov requested an update on Magnolia Ridge from Township Attorney David Orron. Mr. Orron stated ACT Engineers has confirmed the street work was completed last week and he is reviewing the bond release request from the developer.

Mayor Mironov and Council discussed possible dates for the September 11 memorial. It was agreed to host the event on September 11, 2021, in honor of the 20th anniversary. Mayor Mironov request staff begin to prepare the program details and provide for review.

Mayor Mironov requested staff provide additional ideas for future Eagle Scout projects.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

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

Resolution R2021-144 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.)

Mayor Mironov stated this item would be held until the next regularly scheduled Council meeting.

2. American Rescue Plan Funds to East Windsor Township

Mayor Mironov indicated a memo on this matter had been received from the Township Manager. She indicated the memo left several questions open as to how the Township wants to accept the money and what deadlines there are to accept the funds. Mayor Mironov requested additional information from staff, including information on the process, any deadlines, what options the Township may have to split the money amongst different categories, and how this will tie into the overall state of the 2021 budget and how that may drive the any use of the funds. She requested this information in advance of the reporting deadline of August 31, 2021.

MATTERS BY PUBLIC:

No one from the public spoke.

ADJOURNMENT:

Next Meeting: August 3, 2021

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor