

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, February 22, 2022

5:00 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 5:00 p.m. on Tuesday, February 22, 2022.

#### **VERIFICATION:**

Municipal Clerk Allison Quigley certified that the meeting was noticed on January 14, 2022 in the annual meeting notice. On February 18, 2022 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 Marc Lippman.

#### **ROLL CALL:**

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

#### **PRESENTATIONS & PROCLAMATIONS:**

Black History Month – February 2022

Scouting Anniversary Week – February 6 – 12, 2022

Read Across American Day – (March 2, 2022)

#### **INTERVIEWS FOR BOARDS AND COMMISSIONS:**

There were no interviews for boards and commissions.

#### **PUBLIC FORUM:**

No one from the public spoke.

#### **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  
December 7, 2021  
December 21, 2021  
January 5, 2022  
January 11, 2022  
January 25, 2022

**March 9, 2021**

It was MOVED by Lippman, SECONDED by Yeager to approve the March 9, 2021 Council meeting minutes.

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

There being six (6) ayes, no (0) nays and one (1) abstention the minutes of March 9, 2021 were approved.

**December 21, 2021**

Mr. Zoller stated the term “engine braking” was misspelled as “engine breaking” in three instances in the minutes and ask that be corrected.

It was MOVED by Zoller, SECONDED by Russell to approve the December 21, 2021 Council meeting minutes with revisions.

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

There being seven (7) ayes and no (0) nays, the December 21, 2021 Council meeting minutes were approved with revisions.

**January 5, 2022**

It was MOVED by Rosenberg, SECONDED by Yeager to approve the January 5, 2022 Council meeting minutes.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Russell, Yeager, Zoller, Mironov

Nays – None

There being seven (7) ayes and no (0) nays, the January 5, 2022 Council meeting minutes were approved.

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

**ORDINANCE – PUBLIC HEARING:**

**Ordinance No. 2022-02** An Ordinance Amending Chapter XX “Zoning” Section 20-18, “R-O Research Office” and Section 20-19 “I-O Industrial Office” of the Revised General Ordinances of the Township of East Windsor to Delete Principal Use of Retail Self-Storage Facilities

**ORDINANCE NO. 2022-02**  
**TOWNSHIP OF EAST WINDSOR**  
**COUNTY OF MERCER**  
**AN ORDINANCE AMENDING CHAPTER XX “ZONING” SECTION 20-18, “R-O RESEARCH OFFICE” AND SECTION 20-19 “I-O INDUSTRIAL OFFICE” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR TO DELETE PRINCIPAL USE OF RETAIL SELF-STORAGE FACILITIES**

**BE IT ORDAINED** by the Township Council of the Township of East Windsor, County of Mercer and State of New Jersey that Chapter XX, “Zoning”, Section 20-18, “Research Office” and Section 20-19, “Industrial Office”, be amended as follows (new language is denoted by underlining):as follows:

**I**

1. Section 20-18.1 “Principal Uses”, subsection (c) is hereby amended as follows:
  - c. The warehousing or storage of products within a completely enclosed building, excluding retail self-storage facilities, and provided that no retail sales or motor freight facilities shall be permitted except as incidental and accessory to a permitted or conditional use.
2. Section 20-18.2 “Accessory Uses”, subsection (a) is hereby amended as follows:
  - a. Uses on the same lot which are customarily incidental to any of the above permitted uses which may include but shall not be limited to storage within a completely enclosed building, which is utilized by an occupant of an existing permitted use on the lot.
3. Section 20-19.1 “Principal Uses”, subsection (c) is hereby amended as follows:
  - c. The warehousing or storage of products within a completely enclosed building, excluding retail self-storage facilities, and provided that no retail sales or motor freight facilities shall be permitted except as incidental and accessory to a permitted or conditional use.
4. Section 20-19.2 “Accessory Uses”, subsection (a) is hereby amended as follows:
  - a. Uses on the same lot which are customarily incidental to any of the above permitted uses which may include but shall not be limited to storage within a completely enclosed building, which is utilized by an occupant of an existing permitted use on the lot.

**II**

**REPEAL**

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

**III  
SEVERABILITY**

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

**IV  
EFFECTIVE DATE**

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

Mayor Mironov stated Ordinance No. 2022-02 was introduced at the January 25 Council meeting and the public hearing was set for tonight. Mayor Mironov declared the public hearing open. No public commented and Mayor Mironov declared the public hearing closed.

Mayor Mironov suggested holding the Ordinance until the next Council meeting, to allow for review and comment by the Planning Board. Council Members unanimously agreed.

It was MOVED by Zoller, SECONDED by Lippman to carry Ordinance 2022-02 to the March 8 Council Meeting to allow for Planning Board review and comment.

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

There being seven (7) ayes, and no (0) nays, Ordinance 2022-02 was carried to the March 8 Council meeting to allow for Planning Board review and comment.

**Ordinance No. 2022-04**      An Ordinance Amending and Supplementing Chapter XX, “Zoning”, Section 20.20002, "Zoning Map", to Rezone Block 8, Lot 11 Located at Route 130 South and Old Cranbury Road (approximately 3.32 acres) from “R-1” Residential District to “NC” Neighborhood Commercial District and Section 20-15, "NC Neighborhood Commercial" Zoning District of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2022-04  
TOWNSHIP OF EAST WINDSOR  
COUNTY OF MERCER**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX,  
“ZONING”, SECTION 20.20002, "ZONING MAP", TO REZONE BLOCK 8, LOT 11 LOCATED AT  
ROUTE 130 SOUTH AND OLD CRANBURY ROAD (APPROXIMATELY 3.32 ACRES) FROM “R-1”  
RESIDENTIAL DISTRICT TO “NC” NEIGHBORHOOD COMMERCIAL DISTRICT AND SECTION  
20-15, "NC NEIGHBORHOOD COMMERCIAL" ZONING DISTRICT OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR** in the County of Mercer and the State of New Jersey, that Chapter XX, "Zoning", of the Revised General Ordinances of the Township of East Windsor is hereby amended and supplemented as follows:

**SECTION 1.** Subsection 20-2.0002, "Zoning Map", is hereby amended as follows:

**"20-2.0002 ZONING MAP.** The map entitled "East Windsor Township Zoning Map", adopted July 28, 1976, together with all notations thereto and with the revisions and amendments to said map up to and including January 25, 2022, is adopted as the zoning map of the Township of East Windsor, a copy of which is attached hereto and made a part hereof by reference, and which is on file in the office of the municipal clerk."

*Note:*

*The "Zoning Map" is attached at the end of this ordinance. For informational purposes, Block 8, Lot 11 on the Township Tax Map, approximately 3.32 acres situated at the northwest corner of Route 130/Old Cranbury Road intersection, is rezoned into the "NC" Neighborhood Commercial zoning district. A map of the subject portion of East Windsor Township also is attached at the end of this ordinance.*

**SECTION 2.** Subsection 20-15.3, "Conditional Uses," paragraph a. "houses of worship" is deleted.

**SECTION 3.** Subsection 20-15.4, "Bulk and Area Requirements," "NC Neighborhood Commercial," is amended as follows: See "Schedule of District Regulations" table of this Chapter.

Zoning District and Permitted Uses	Minimum Lot Area (Acres or Sq. Feet)	Minimum Dimensions in Feet									Maximum Allowed					
		Lot Width	Principal Bldg Yards				Acc'y Bldg Setbacks From					% Bldg. Covrg.	% Imprvmt. Covrg.	Bldg. Height in Feet	Bldg. Height Stories	Floor Area Ratio
			Front Yard	Side Yard	Both Side Yards	Rear Yard	Street Line	Side Line	Rear Line	Pri n. Bld g						
NC Nbrhood Commercial All Permitted Uses	<u>40,000</u>	125	60	10	20	30	75	10	10	10	<u>25</u>	<u>70</u>	30	NA	<u>.35</u>	

**SECTION 4.** Add a new Subsection 20-15.5, entitled "Other Requirements," as follows:

*20-15.5 Other Requirements.*

- a. A minimum 15 foot landscaped strip shall be provided along any street.
- b. A minimum 25 foot landscaped buffer shall be provided along any property line which abuts a residential district or any existing residential use.
- c. Driveways shall not be wider than 25 feet at any point and must be at least 10 feet from any side lot line and 100 feet from intersecting street lines.
- d. All buildings shall have a dual pitched, single ridge roof (such as gable, hip, gambrel or mansard roof) with a minimum pitch of one foot (1') vertical to eight feet (8') horizontal, and no flat roof shall be permitted; provided, however, that where roof mounted equipment is necessary and/or preferable for the operation of the building, a faced roof treatment exhibiting the appearance of such a dual pitched, single ridge roof may be permitted if specifically approved by the Board as part of a submitted site plan application for development.

**SECTION 3. Repealer.** All ordinances or resolutions or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

**SECTION 4. Severability.** If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

**SECTION 5. Effective Date.** This Ordinance shall take effect upon final adoption, publication as required by law and filing with the Mercer County Planning Board, and as provided for by law.

Mayor Mironov stated Ordinance No. 2022-04 was introduced at the January 25 Council meeting and the public hearing was set for tonight. Mayor Mironov declared the public hearing open. No public commented and Mayor Mironov declared the public hearing closed.

Mayor Mironov suggested holding the Ordinance until the next Council meeting, to allow for review and comment by the Planning Board. Council Members unanimously agreed.

It was **MOVED** by Zoller, **SECONDED** by Yeager to carry Ordinance 2022-04 to the March 8 Council Meeting to allow for Planning Board review and comment.

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

There being seven (7) ayes, and no (0) nays, Ordinance 2022-04 was carried to the March 8 Council meeting to allow for Planning Board review and comment.

**ORDINANCE – INTRODUCTION:**

There were no Ordinances for introduction.

**RESOLUTIONS:**

**Resolution R2022-026** Authorizing Transfers of 2021 Budget Appropriation Reserves

**RESOLUTION R2022-026  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, N.J.S.A. 40A:4-59 provides for appropriation reserve transfers during the first (3) months of the succeeding fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore, and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, no less than two-thirds of the full majority concurring, that the Chief Financial Officer is hereby authorized to make transfers among the 2021 municipal budget appropriation reserves in accordance with the following:

<b>CURRENT FUND</b>	<b>FROM</b>	<b>TO</b>
Group Insurance for Employees	\$4,876.18	

Motor Vehicle – Uniform Services	\$5,284.01	
Other Contracted Services – Senior Center	\$1,732.98	
Licensed Professional- PW Admin	\$482.45	
Full Time – Code Enforcement	\$9,097.37	
Building & Grounds – Rescue Squad I	\$329.86	
Full Time – Manager’s Office		\$1,121.00
Full Time – Council		\$3,144.14
Part Time – Legal		\$611.04
Telephone		\$16,926.67
Total Current Fund	\$21,802.85	\$21,802.85

It was MOVED by Zoller, SECONDED by Russell to approve Resolution R2023-026.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Russell, Yeager, Zoller  
Nays – Mironov

There being six (6) ayes, and one (1) nays, Resolution R2022-026 was approved.

Mayor Mironov stated Resolution R2022-031, Resolution R2022-032 and Resolution R2022-033 would be voted on as a block.

**Resolution R2022-031** Approval of Agreement with Riviera Homeowners Association for Reimbursement for Private Community Services for 2021

**RESOLUTION R2022-031  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Riviera at East Windsor Homeowners Association wish to enter into an Agreement for private community services for the year 2021 in the amount of \$12,329.10, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 1-01-26-325-802-253 entitled “Condo Services”, in the amount of \$12,329.10, as evidenced by the Chief Financial Officer’s Certification No. B2022-008.

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

1. The attached Agreement between East Windsor Township and the Riviera at East Windsor Homeowners Association for the year 2021 in the amount of \$12,329.10 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

**Resolution R2022-032** Approval of Agreement with Stonegate Homeowners Association for Reimbursement for Private Community Services for 2021

**RESOLUTION R2022-032  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Stonegate Homeowners Association wish to enter into an Agreement for private community services for the year 2021 in the amount of \$2,757.62, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 1-01-26-325-802-253 entitled "Condo Services", in the amount of \$2,757.62, as evidenced by the Chief Financial Officer's Certification No. B2022-006.

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

1. The attached Agreement between East Windsor Township and Stonegate Homeowners Association for the year 2021 in the amount of \$2,757.62 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

**Resolution R2022-033** Approval of Agreement with Windsor Regency Condominium Association for Reimbursement for Private Community Services for 2021

**RESOLUTION R2022-033  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor and the Windsor Regency Condominium Association wish to enter into an Agreement for private community services for the year 2021 in the amount of \$1,885.37, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

**WHEREAS**, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 1-01-26-325-802-253 entitled "Condo Services", in the amount of \$1,885.37, as evidenced by the Chief Financial Officer's Certification No. B2022-007.

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

1. The attached Agreement between East Windsor Township and the Windsor Regency Condominium Association for the year 2021 in the amount of \$1,885.37 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

[NOTE: The requested revisions are reflected in the above Resolutions.]



Mayor Mironov requested all three Resolutions be revised to include the name of the respective association in the second to last paragraph.

It was **MOVED** by Russell, **SECONDED** by Daniels to approve Resolution R2022-031, Resolution R2022-032 and Resolution R2022-033 with the requested revisions.

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

There being seven (7) ayes, and no (0) nays, Resolution R2022-031, Resolution R2022-032 and Resolution R2022-033 were approved with the requested revisions.

**Resolution R2022-034** Approval of Shared Service Agreement with Hamilton Township for Provision of Various Professional Health Clinic and Health Education Services

**RESOLUTION R2022-034**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, the Township of East Windsor desires to provide certain health services for residents for 2022; and

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

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes any municipality to enter into a contract with any other municipality for the joint provision of any service which either party is empowered to render within its own jurisdiction; and

**WHEREAS**, the maximum amount of the contract is \$5,000.00, and funds are available in the Current Fund Account No. 2-01-27-330-604-249 entitled “Licensed Professional”, as evidenced by the Chief Financial Officer’s Certification No. B2022-005.

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

1. The attached Agreement entitled “Shared Services Agreement for Health Services Township of Hamilton and Township of East Windsor” for a term of January 1, 2022 through December 31, 2022 is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was **MOVED** by Daniels, **SECONDED** by Rosenberg to approve Resolution R2022-034.

**ROLL CALL:** Ayes – Daniels, Lippman, Rosenberg, Russell, Yeager, Zoller, Mironov

Nays – None

There being seven (7) ayes, and no (0) nays, Resolution R2022-034 was approved.

**Resolution R2022-035** Approval of Certified List of Volunteer Members for Length of Service Award Program (LOSAP)

Resolution R2022-035 was held until the next regularly scheduled Council meeting.

**Resolution R2022-036** Approval of Professional Services Agreement for Bond Counsel Services with McManimon, Scotland & Baumann

**RESOLUTION R2022-036**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, there exists a need for specialized legal services in connection with the authorization and issuance of bonds and notes for the Township, including the review of such procedures as the rendering of legal opinions acceptable to the financial community, for the term of January 1, 2022 through December 31, 2022; and

**WHEREAS**, the Township posted/solicited proposals on October 8, 2021 and received five proposals for Township Bond Counsel Services by the receipt date of November 18, 2021; and

**WHEREAS**, the proposal received from McManimon, Scotland and Baumann is responsive; and

**WHEREAS**, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services” pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

**WHEREAS**, the Township Council has reviewed the Township Manager’s recommendation.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for Bond Counsel Services with McManimon, Scotland and Baumann, 75 Livingston Avenue, Roseland, New Jersey, 07068, for a term of January 1, 2022 to December 31, 2022.
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.

Mayor Mironov stated, in the future, the entire proposal does not need to be attached to the Resolution, and can be limited to the relevant pages.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2022-036.

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

There being seven (7) ayes, and no (0) nays, Resolution R2022-036 was approved.

**Resolution R2022-037** Approval of Developers Agreement with OTR East Windsor Investors, LLC for the Windsor Pointe Property Located at 604 and 630 Old Trenton Road (Block 3, Lots 3 and 3.02)

Resolution R2022-037 was held until the next regularly scheduled Council meeting.

#### **APPLICATIONS:**

There were no applications.

#### **REPORTS BY COUNCIL AND STAFF:**

Mr. Yeager reported the Municipal Alliance for the Prevention of Substance Abuse met and discussed the upcoming Mercer County grant application for 2022-2023 funding. Mr. Yeager also reported the Recreation Commission met and discussed options for spring break and summer camp programs. Ms. Daniels reported the Health Advisory Board met and discussed the recently launched online mental health series and the Community Garden program for the spring. Mr. Zoller reported the Environmental Commission met and discussed the Sustainable Jersey Etra Park Arboretum project and the upcoming state-wide ban on plastic bags.

#### **CORRESPONDENCE:**

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

#### **APPOINTMENTS:**

Mayor Mironov stated Resolution R2022-038 and Resolution R2022-039 would be voted on as a block.

**Resolution R2022-038** Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2022-038  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**BE IT RESOLVED** by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Marc Platizky is hereby appointed as Member of the East Windsor Municipal Utilities Authority for an unexpired term expiring on January 31, 2025.

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

**Resolution R2022-039**      Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2022-039  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**BE IT RESOLVED** by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Steven Kurs is hereby appointed as Member of the East Windsor Municipal Utilities Authority for a term expiring on January 31, 2027.

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

Mayor Mironov suggested appointing Marc Platizky for the unexpired term expiring on January 31, 2025 and appointing Steven Kurs for a term expiring on January 31, 2027. Council Members unanimously agreed.

Mayor Mironov requested the Clerk's Office double check and confirm the expiration dates of the terms in both Resolutions.

It was **MOVED** by Rosenberg, **SECONDED** by Daniels to approve Resolution R2022-038 and Resolution R2022-039, with revisions and subject to confirmation of the expiration dates of both terms.

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

There being seven (7) ayes, and no (0) nays, Resolution R2022-038 and Resolution R2022-039 were approved with revisions and subject to confirmation of the expiration dates of both terms.

**APPROVAL OF BILLS:**

Mayor Mironov stated a 2022 Current Bill list, 2021 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

Mayor Mironov stated that the list "Vouchers Approved for Payment," dated January 25, 2022 did not list the account numbers these invoices were being paid from, and requested clarification on those items. She also questioned the invoice to Johnson Controls listed on "Vouchers Approved for Payment," dated February 11, 2022, and asked what this invoice was for.

Mayor Mironov referenced the 2021 Current Bills list, page four, and asked that the four invoices for gift cards for the Commission on Aging be held and requested information as to what these are for. She

also referenced page ten of the same bills list, and asked staff to confirm if the invoice for a tax refund had been previously approved by Resolution. The payment is subject to Council approval, and if it was not previously approved by Resolution, it would need to be scheduled for an upcoming agenda.

It was MOVED by Zoller, SECONDED by Yeager to approve the Bill Lists with the various holds and clarifications.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Russell, 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 had been received: a memo dated February 8 from the Director of Public Works regarding the repair of S-07 2008 Volvo Garbage truck; a memo dated February 10 from the Township Manager regarding telephone invoices for 2021; a memo dated February 11 from the Chief of Police regarding ghost guns, and a letter dated February 14 from Hopewell Valley Engineering confirming a restart on the Union Transportation Trail project.

Mayor Mironov stated an email was received February 16 from the New Jersey Department of Transportation regarding a grant award of \$190,000 for the Pulte Pathway under the NJDOT Bikeway Program, and asked staff to advise as to the next steps for this project.

Mayor Mironov stated an email was received on February 3 from the New Jersey Department of Community Affairs regarding a grant award of \$75,000 for Anker Park. She stated Council would have to discuss and determine how to use the grant funds. She also requested staff follow up on coordinating a meeting with Mercer County and the Lee Family regarding drainage issues in the area. She added the February 3 email requested a new project budget, and asked staff to review the email, determine what information NJDCA is requesting, and if there is a deadline to provide the information.

Mayor Mironov asked staff to follow up on the steps and process regarding renewal of the Township's membership with the Middlesex County Municipal Joint Insurance Fund. She also requested an updated on the LEAP grant as to any reporting requirements and if any additional information was needed from Hightstown.

Mayor Mironov and Council Members previously reviewed a memorandum from the Chief of Police regarding Windsor Perrineville Road, and requested the Chief implement the recommendations as set forth in the memo. Mayor Mironov also requested information on potential locations for engine braking signs along Route 133.

Mayor Mironov stated a memo was received from the Recreation Director dated February 11 regarding summer concerts and Family Night in the Park. Mayor and Council agreed the three bands that were suggested were good choices, but the proposed schedule is not in accordance with previous discussions

and requests to schedule the concerts on consecutive weeks. Mayor and Council agreed to the proposed schedule if there were no other options. They also requested additional information on Family Night in the Park, and asked in the future, this information is provided in a timelier fashion to the governing body in order to make decisions and provide direction.

Mayor Mironov stated the sidewalk escrow posted for the Patel Subdivision was set to expire on August 8, and asked for a plan to use the funds. She also requested an update on the status of the engineering work for the NJDOT grant for Hawthorne Lane.

**DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:**

1. Senior Center Expansion Project

- A. **Ordinance 2022-03** Bond Ordinance Providing a Supplemental Appropriation of \$550,000 for the Senior Center Expansion Project in and by the Township of East Windsor, in the County of Mercer, New Jersey, and Authorizing the Issuance of \$550,000 Bonds or Notes of the Township to Finance the Cost Thereof

Ordinance 2022-03 was held until the next regularly scheduled Council meeting. Mayor Mironov stated that currently, Mayor and Council had no information as to the project schedule, any updates, current project balances, the change order balance, or the process and timeline for the bid documents and specifications from the project architect.

- B. Soil Testing  
**Resolution R2022-040** Approval of Professional Services Agreement with ANS Consultants, Inc. for Soil Testing for Senior Center Expansion Project

**RESOLUTION R2022-040  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for Soil Testing Services for the Senior Center Expansion Project; and

**WHEREAS**, the project architect Kevin Settembrino of Settembrino Architects provided a single proposal for Soil Testing Services for the Senior Center Expansion Project from ANS Consultants, Inc.; 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 project architect Kevin Settembrino's recommendation; and

**WHEREAS**, the maximum amount of the service is \$2,050.00 and funds are available in Account No. R-14-21-370-200-000, entitled “Reserve for Recreation Trust”, as evidenced by the Chief Financial Officer’s Certification No. R2022-001.

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to ANS Consultants Inc., 4405 South Clinton Avenue, South Plainfield, NJ 07080 for soil testing services for the Senior Center Expansion Project, in an amount not to exceed \$2,050.00, all in accordance with the attached quote.

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

Mayor Mironov requested the second paragraph in the Resolution be revised to reflect that a single proposal was provided by the project architect. She also asked for clarification if the correct form of agreement was attached, and asked for a timeline for these services.

It was **MOVED** by Russell, **SECONDED** by Lippman to approve Resolution R2022-040 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2022-040 was approved with the revisions.

**C. Building Completion and Two Access Points: Schedule, Delays, Costs: Status Update**

Mayor and Council requested Kevin Settembrino, project architect, provide a schedule for building completion in writing. It was also requested Mr. Settembrino discuss with the Township Manager and Township Attorney the process for taking a position regarding liquidated damages, a full breakdown of all payments to Develop Builders including the contract award, past payments, outstanding payments, and remaining accounting for the change order balance.

**D. Site Work: Status and Update**

Mayor and Council requested Mr. Settembrino provide a draft document outlining the plan for bidding the site work with all potential costs and a full timeline.

**2. Stockton Street Sidewalk and Curbs Project**

**Resolution R2021-211** Approving Shared Services Agreement between Township of East Windsor and Borough of Hightstown for Stockton Street Sidewalk and Curbs Project

**RESOLUTION R2021-211**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, there exists a need to install sidewalks and curbs along Stockton Street between the intersection of Route 130 in East Windsor Township and the intersection of Harron Avenue and Oak Lane in Hightstown Borough; and

**WHEREAS**, East Windsor Township and Hightstown Borough are desiring to enter into a Shared Services Agreement for the implementation of this joint project; 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 Township Manager's recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and Hightstown Borough for the Installation of Stockton Street Curbs and Sidewalks is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

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

Mayor Mironov requested the second paragraph be reworded to read *for the implementation of this joint project*.

It was **MOVED** by Zoller, **SECONDED** by Yeager to approve Resolution R2021-211 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-211 was approved with the revisions.

3. National Night Out 2022 (August 2, 2022)

Mayor and Council discussed location options for the National Night Out event, and agreed to host the event at the Police Athletic League fields on Airport Road, but would continue to monitor the health situation as the event draws closer.

4. Abandoned Foreclosed Property Program Administration

Mayor and Council reviewed a memorandum on this subject from the Business Ombudsman, and asked to be kept up to date as renewal letters are sent out.

5. Research Office Zoning District (West of Route 130)



Mayor and Council reviewed a memorandum on this subject from the Township Planner. Mayor and Council requested staff review the attached map from the Township Planner and identify ownership of the parcels marked for a potential zoning change, as well as which parcels are Township owned or owned by the Municipal Utilities authority. The draft Ordinance will be discussed at the next Planning Board meeting.

**MATTERS BY PUBLIC:**

No one from the public spoke.

**ADJOURNMENT:**

Next Meeting: March 8, 2022

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Allison Quigley  
Municipal Clerk

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Janice S. Mironov  
Mayor