

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, February 8, 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 8, 2022.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on January 14, 2022 in the annual meeting notice. On February 4, 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 Township Manager James Brady.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM:

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

Mayor Mironov requested Council move ahead to item number one under Discussion Items on the agenda, as Kevin Settembrino of Settembrino Architects was present this evening. Council agreed to move forward to discussion item number one.

1. Senior Center Expansion Project

Mayor Mironov stated her frustration with the lack of communication with Settembrino Architects and highlighted several unanswered emails. Mayor Mironov stated she reviews the regular on-site meeting minutes and feels it is misleading and unfair to attribute construction delays to inaction by Mayor and Council. Mayor Mironov stated the Senior Center Expansion Project is a major project and Mayor and Council are eager for completion, as not having a usable Senior Center, in addition to lacking a place for our seniors, has hurt the Township's ability to host large community meetings. Kevin Settembrino apologized for communication delays and explained that he is relying on the project contractor for status updates and provides those to the Township as he receives them. Mayor Mironov clarified that without information in advance it is difficult for Council to take action. Mr. Settembrino stated according to the base contract, the date of substantial completion was June 15, 2021 however, according to the most recent schedule submitted by the developer, the date of substantial completion is now April 7, 2022, a

delay of almost ten months. Mr. Settembrino further stated the contractor is confident a temporary certificate of occupancy could be issued on or about April 7, 2022.

Mr. Settembrino stated the contractor has billed for and received \$1.5 million dollars and has not billed for approximately \$1.1 million dollars remaining on the \$2.6 million dollar contract. Mayor Mironov requested clarification that the unexpended balance includes the Township money allowance. Mr. Settembrino confirmed it did. Mr. Settembrino stated the change order proposal for exterior site work was received from the contractor on or about August 17, 2021 and has been revised approximately six times due to costs and supplies. The current change order proposal is for approximately \$485,000 and would extend the timeline for substantial completion to July 1, 2022. Mr. Settembrino stated delay between the contractual substantial date of completion and the proposed date of substantial completion is approximately ten months. According to the contract the contractor is liable for \$500 per day or approximately \$15,000 per month if the Township pursued liquidated damages. Mr. Settembrino stated Settembrino Architects requested a proposed offer of liquidated damages from Develop Builders for which the governing body may propose to extend the substantial date of completion without further penalty. The contractor offered \$15,000 in liquidated damages, far below the \$150,000 allowed by contract. Mr. Settembrino stated an alternative course of action is to solicit requests for proposals to acquire a different contractor for the exterior site work. Mr. Settembrino stated the timeline for a public bidding process would be approximately two months.

Mr. Settembrino stated a change order proposal for egress ramps was prepared and Settembrino Architects is currently negotiating with the contractor on pricing. Mr. Settembrino stated a proposal for soil testing in the rear of the building where excavation for the subgrade retention basin will occur has been received. Mr. Settembrino stated if the soil is found to be contaminated, pricing for the exterior site work will increase. Mr. Settembrino stated once authorized soil test results should be received within two to three weeks. Mayor Mironov requested clarification on the schedule for the public bidding process. Mr. Settembrino clarified that once authorization was received Settembrino Architects would need four-to-six weeks to prepare bid document and approximately one month to advertise and receive bids, making the process from authorization to receipt of bids approximately two and a half months. Mayor Mironov requested additional information on the process to prepare the bid documents. Mr. Settembrino stated drawings need to be modified to show the existing condition of the building.

Mayor Mironov questioned the timeframe for site work completion. Mr. Settembrino replied approximately three months, however if the existing contractor was retained, site work could begin earlier than April 7, 2022. Mayor Mironov asked in regards to weather conditions, when is the earliest timeframe sitework could begin. Mr. Settembrino replied mid-to-late March. Mayor Mironov inquired about the general state of the construction market and if it was an advantageous time to solicit requests for proposals. Mr. Settembrino replied as it gets closer to the summer the demand for service increases which results in higher bids. Mayor Mironov questioned if the work needed to obtain a temporary certificate of occupancy would be delayed if the Township chose to retain Develop Builders for the exterior sitework and Mr. Settembrino confirmed it would not. Mayor Mironov asked if the April 7, 2022 substantial completion date is realistic. Mr. Settembrino replied it would be a challenge however Senior Project Architect for Settembrino Architects Lance Smith reported substantial completion on April 7, 2022 is achievable with one caveat. Mr. Settembrino stated after wet spots were noticed by construction officials, an exterior wall thermal scan was deemed necessary to ensure there were no areas of wet insulation in need of replacement. Develop Builders reported to Mr. Settembrino that they will be

able to meet the April 7, 2022 substantial completion date as long as the results of the thermal scan show no wet insulation.

Mayor Mironov requested clarification on the process and timeline for awarding a soil testing proposal. Mr. Settembrino stated a proposal from ANS Consultants has been received and if approved, ANS Consultants will collect soil samples and test to ensure any contaminants are within New Jersey Department of Environmental Protection guidelines. Mr. Settembrino stated this process should take two to three weeks. Mr. Settembrino clarified if the soil report shows contaminants, remediation will not be necessary and the contractor will remove the contaminated soil. This would result in additional delays and costs to the Township. Mr. Lippman questioned the reliability of Develop Builders and the ability of Settembrino Architects to monitor the remaining portions of the project given the extensive delays. Mr. Lippman further questioned the disconnect between the amount of liquidated damages the Township could pursue according to the contract versus the amount proposed by Develop Builders and requested clarification on which contractor is responsible for the installation of the egress ramps. Mayor Mironov stated the egress should be built at minimal cost and requested Mr. Settembrino give his recommendation and assessment on the two approaches currently being discussed relating to the sitework. Mr. Settembrino reiterated the initial change order proposal to complete site work had been received by Settembrino Architects nearly a year ago and the version currently being discussed is the sixth revision due to cost negotiation and an increase in the cost of building materials. Mr. Settembrino stated Develop Builders has continued to perform poorly but has been moving the project along. Mr. Settembrino stated the current contract contains a termination procedure, but cautioned against invoking it as in most cases the contractor is brought back onto the project through the bonding company's contract. He additionally stated that it was his belief if the termination clause was invoked, the date of substantial completion would have been further delayed. Mr. Settembrino stated all materials are on site and it is his hope the project is complete within the next two months. Mayor Mironov expressed her reluctance with approving a change order for such a large dollar amount with the current contractor but stated the priority is to have an open and functioning Senior Center. Mayor Mironov stated it is her position that Mr. Settembrino should continue to monitor Develop Builder's performance to ensure the April 7, 2022 date of substantial completion is met, that Mr. Settembrino should attend all onsite progress meetings to ensure productiveness, that the Township Manager and staff coordinate with Settembrino Architects regarding the two access points to determine a course of action which can be completed at a minimal cost to ensure a temporary certificate of occupancy can be obtained on April 7, 2022, wants to authorize the soil testing to move forward as soon as possible. To accomplish this, testing would be paid for out of the current Senior Center Expansion Project funding source and then bridge the expense over to the capital ordinance and suggested a vote be taken tonight with a formal authorization listed on the next regularly schedule meetings agenda. Mayor Mironov stated it was her recommendation to solicit Request for Proposals for the exterior sitework and would like preparation including preparing a list of potential contractors and a schedule developed beginning tomorrow. Mayor Mironov further stated a follow up discussion is needed to determine the process and course of action to address project delays in relation to liquidated damages. Mr. Lippman stated he agreed with the Mayor's proposed course of action and emphasized his future displeasure if a temporary certificate of occupancy is not obtained due to lack of egresses on April 7, 2022. Mr. Zoller reiterated the need for a project schedule in order to monitor the project's progress. Mr. Settembrino stated progress meetings with the contractor are held every two weeks and the minutes of those meetings are submitted to the Township. Mayor Mironov stated the progress meeting minutes do not satisfy the need for a project schedule. Mr. Settembrino stated he understood and offered to attend the regularly scheduled Council meetings to

provide updates to the governing body. Mayor Mironov responded his regular appearance at Council meetings would be appreciated. Mr. Settembrino stated he spoke with the contractor prior to tonight's council meeting and the contractor was confident that as long as no substantive wet insulation is found in the exterior walls, the project is still on schedule for an April 7, 2022 substantial completion date. Mr. Lippman requested that progress meeting minutes be revised to accurately reflect that construction delays are not due to the actions or inactions of Mayor and Council as the language may be hurtful in pursuing liquidated damages. Mayor Mironov called a vote to authorize soil testing and to begin the process of soliciting request for proposals for the exterior sitework.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to authorize soil testing and begin the process of soliciting request for proposals for the Senior Center Expansion Project exterior sitework.

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

There being five (5) ayes and no (0) nays authorizing soil testing and beginning the process of soliciting request for proposals for the Senior Center Expansion Project exterior sitework was approved.

Mr. Settembrino thanked Mayor Mironov for the direction and requested Mr. Brady inform Mr. Settembrino once a purchase order has been issued to the soil testing company. Mayor Mironov requested a copy as well.

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

Mayor Mironov held the minutes of March 9, 2021 pending revisions.

March 23, 2021

It was MOVED by Zoller, SECONDED by Lippman to approve the March 23, 2021 Council meeting minutes.

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

There being four (4) ayes, no (0) nays and one (1) abstention the minutes of March 23, 2021 were approved.

April 6, 2021

It was MOVED by Rosenberg, SECONDED by Zoller to approve the April 6, 2021 Council meeting minutes.

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

There being four (4) ayes, no (0) nays and one (1) abstention the April 6, 2021 Council meeting minutes were approved.

December 7, 2021

It was MOVED by Zoller, SECONDED by Russell to approve the December 7, 2021 Council meeting minutes.

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

There being five (5) ayes and no (0) nays the December 7, 2021 Council meeting minutes were approved.

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

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2022-01

An Ordinance to Repeal and Replace a Portion of Chapter 22, “Technical Standards for the Construction of Improvements”, and Chapter 19A, “Site Plan Review”, of the Revised General

Ordinances of the Township of East Windsor, to Incorporate New Jersey Stormwater Control Provisions

[NOTE: Due to the size of Ordinance 2022-01, the Ordinance is on the East Windsor Township website.]

Mayor Mironov stated during the regularly scheduled Council meeting of January 11, 2022, Ordinance No. 2022-01 was introduced and a public hearing was scheduled for February 8, 2022. Mayor Mironov declared the public hearing open. With no comment from the public, Mayor Mironov declared the public hearing closed. Mayor Mironov stated there was a lack of certainty on which entities need to review the proposed Ordinance however, copies have been distributed to the East Windsor Township Planning Board, who has yet to review Ordinance No. 2022-01, adjacent municipalities and the Ordinance has already been reviewed at the County level. Mayor Mironov requested clarification from the Township Attorney on the process as the Ordinance may affect Township Development site plan review. Mayor Mironov stated an email was received from Mercer County which indicated Ordinance No. 2022-01 exceeded the minimum State requirements and requested information on which items in the proposed Ordinance meet the threshold and which go beyond the minimum requirements. Mayor Mironov requested the Ordinance be carried to the next regularly scheduled meeting to allow time to obtain and review the requested information. Mr. Russell stated his support to carry Ordinance No. 2022-01 to the next regularly scheduled Council meeting held after the East Windsor Township Planning Board meeting. Council unanimously agreed.

It was **MOVED** by Russell, **SECONDED** by Rosenberg to carry Ordinance No. 2022-01 to the next regularly scheduled Council meeting held after the East Windsor Township Planning Board meeting.

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

There being five (5) ayes and no (0) nays Ordinance No. 2022-01 was carried to the next regularly scheduled Council meeting held after the East Windsor Township Planning Board meeting.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2022-17 Approval of Professional Services Agreement for Special Tax Counsel Services with James L. Esposito of Inglesino Webster Wyciskala Taylor, LLC

RESOLUTION R2022-017
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for Legal Services for Special Tax Counsel, for the term of January 1, 2022 through December 31, 2022, for the Township; and

WHEREAS, the Township posted/solicited proposals on November 8, 2021, and received four proposals for Special Tax Counsel by the receipt date of December 9, 2021; and

WHEREAS, the proposal received from James L. Esposito of Ingelsino Webster Wyciskala Taylor LLC 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 recommendation of the Tax Assessor and related information; and

WHEREAS, the maximum amount of the contract is \$20,000.00 and funds are available in the Current Fund Account No. 2-01-20-155-105-249 entitled “Legal Services-Licensed Professional”, as per the 2022 temporary budget and pending adoption of the 2022 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2022-004.

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 Agreement between the Township of East Windsor and James L. Esposito is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for Special Tax Counsel with James L. Esposito, 600 Parsippany Road, Suite 204, Parsippany, NJ 07054, for a term of January 1, 2022 through December 31, 2022.
3. 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.
4. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 8, 2022.

Mayor Mironov stated Resolution R2022-17 was carried from a previous meeting.

It was MOVED by Rosenberg, SECONDED by Russell to approve Resolution R2022-17.

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

There being five (5) ayes and no (0) nays, Resolution R2022-17 was approved.

Resolution R2022-026 Authorizing Transfers of 2021 Budget Appropriation Reserves

Mayor Mironov stated a memo from the Finance Director was distributed which indicates the Resolution reflects the final transfers. Mayor Mironov questioned the telephone transfer and requested additional information. Mr. Russell questioned a discrepancy between the memo and Resolution R2022-26 in regards to the Full Time – Manager’s Office and Full Time – Council line items and requested clarification. Mayor Mironov requested Resolution R2022-26 be carried to the next regularly scheduled meeting pending additional information. Council unanimously agreed.

Resolution R2022-027 Authorizing 2021 Tree City USA Application for Recertification

**RESOLUTION R2022-027
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters, the USDA Forest Service, the U.S. Conference of Mayors and the National League of Cities is accepting applications for 2021 TREE CITY USA; and

WHEREAS, East Windsor Township desires to be recertified as a TREE CITY USA for 2021; and

WHEREAS, the Township Council desires to submit said application to the New Jersey State Forester as required under the terms of the application.

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 2021 TREE CITY USA Application for recertification is hereby approved.
2. The Mayor is hereby authorized and directed to sign the attached 2021 TREE CITY USA Application for recertification.

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 February 8, 2022.

Mayor Mironov stated a packet with the application was distributed. Mayor Mironov requested the list of Environmental Commission Board members be corrected on page two of the application, and further requested copies of any correspondence received from the granting agent. Mr. Zoller questioned the costs of trees listed in the application. Mayor Mironov requested Township Landscape Architect Daniel Dobromilsky review the application prior to submission to ensure accuracy.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2022-027 with revisions and clarifications to the application.

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

There being five (5) ayes and no (0) nays, Resolution R2022-027 was approved.

Resolution R2022-028 Approval of Professional Services Contract for Engineering Services with French & Parello Associates for Improvements to Hawthorne Lane, Portion of Brooklawn Drive, Holly Drive, and Iris Drive in East Windsor Township.

**RESOLUTION R2022-028
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for Professional Engineering Services for Improvements to Hawthorne Lane, Portion of Brooklawn Drive, Holly Drive and Iris Drive; and

WHEREAS, on December 8, 2021, the Township solicited and posted a request for proposals notice and on January 11, 2022, received three proposals for Engineering Services for this project; and

WHEREAS, the lowest responsive proposal for Professional Engineering Services for Improvements to Hawthorne Lane, Portion of Brooklawn Drive, Holly Drive and Iris Drive was received from French and Parrello Associates; 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 Director of Public Work’s recommendation; and

WHEREAS, the maximum amount of the contract is \$48,770.00 and funds are available in Capital Fund Account No. C-04-55-980-923-890 entitled Ordinance 2019-01, “Annual Road Program”, for a total amount not to exceed \$48,770.00, as evidenced by the Chief Financial Officer’s Certification No. C2022-005.

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

1. The attached Agreement between the Township of East Windsor and French and Parello, Associates, 1800 Route 34, Suite 101, Wall, NJ 07719, to provide Professional Engineering Services for Improvements to Hawthorne Lane, Portion of Brooklawn Drive, Holly Drive and Iris Drive, in an amount not to exceed \$48,770.00, is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.
3. 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law, and also in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
4. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 8, 2022.

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

Mayor Mironov stated a memo from the Public Works Director was distributed. Mayor Mironov requested the following revisions to the Resolution: paragraph three should be revised to read *lowest responsive proposal* instead of *most cost effective proposal*; the vendor’s address and project information should be moved from item number 2 under now, therefore, and the RFP from the vendor should be attached to the Resolution.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2022-028 with revisions.

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

There being five (5) ayes and no (0) nays, Resolution R2022-028 was approved with revisions.

Resolution R2022-029 Approval of Purchase of Installation of Computer Server with All Covered for the Municipal Building

RESOLUTION R2022-029
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, on November 2, 2021, by Resolution 2021-180, Mayor and Council approved the purchase of a Hewlett Packer Enterprise ProLiant DL380 Gen 10 SMB Networking Choice server for the Municipal Building, in the amount of \$5,112.29; and

WHEREAS, on December 7, 2021, by Resolution R2021-196, Mayor and Council approved the purchase of the required hardware and software for the new server, in the amount of \$16,949.62; and

WHEREAS, there is a need to assemble the server by installing all hardware and software components and completing the networking of the new server with the existing computer devices that operate on the server; and

WHEREAS, three written quotes were obtained to perform this service; and

WHEREAS, the lowest most responsive quote was submitted by All Covered; and

WHEREAS, this service for the installation of the computer server is of a specialized and qualitative nature because it is based on the specific expertise for East Windsor's computer and network maintenance services and as such have been determined by the Township Manager to be an extraordinary and unspecifiable service; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law exempts extraordinary unspecifiable services from competitive bidding; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations on this purchase; and

WHEREAS, the maximum amount of the service is \$17,728.00 for the installation of the computer server and funds are available in Capital Fund Account No. C-04-55-980-924-700, Ordinance 2020-07 entitled "Gen Admin Office Computer Acquisition", as evidenced by the Chief Financial Officer's Certification No. C2022-004;

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 All Covered, 7000 Commerce Parkway, Suite A, Mt. Laurel, NJ 08054 for the assembly and installation of the computer server for the Municipal Building, in an amount not to exceed \$17,728.00 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 February 8, 2022.

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

Mayor Mironov requested the Resolution be revised so paragraphs one and two contain the Resolution numbers referenced within.

It was MOVED by Russell, SECONDED by Rosenberg to approve Resolution R2022-029 with the revisions.

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

There being five (5) ayes and no (0) nays, Resolution R2022-029 was approved with the revisions.

Resolution R2022-030 Approving Grant Application to Mercer County for Grant Funding for East Windsor Municipal Alliance for Prevention of Substance Abuse for 2022 to 2023

**RESOLUTION R2022-030
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, East Windsor Township Council recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages, and therefore has established a Municipal Alliance Committee; and

WHEREAS, the Township of East Windsor desires to receive a grant from the County of Mercer for the East Windsor Municipal Alliance for the Prevention of Substance Abuse; and

WHEREAS, East Windsor Township has been approved for a Municipal Alliance Grant for the July 1, 2022 through June 30, 2023 grant term: and

WHEREAS, funding has been made available to East Windsor Municipal Alliance in the amount of \$15,775.00 for the period of July 1, 2022 to June 30, 2023, contingent upon meeting the 25% Cash Match amount of \$3,943.75 and the 75% In-Kind Match amount of \$11,831.25, which is a grant requirement for the funding.

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 grant application for grant funding for the East Windsor Municipal Alliance for the Prevention of Substance Abuse is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute and file a grant application on behalf of East Windsor Township to Mercer County for the East Windsor Municipal Alliance for the Prevention of Substance Abuse

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 February 8, 2022.

Mayor Mironov stated that Form 8 should be attached to the Resolution.

It was MOVED by Lippman, SECONDED by Russell to approve Resolution R2022-030 with the revisions.

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

There being five (5) ayes and no (0) nays, Resolution R2022-030 was approved with the revisions.

APPLICATIONS:

Mayor Mironov stated that the three New Jersey Fireman's Association Membership Applications would be voted on as a block.

New Jersey Fireman's Association Membership Application for Edwin Aybar

New Jersey Fireman's Association Membership Application for Gino Esposito

New Jersey Fireman's Association Membership Application for Madeline Matamoros

Mayor Mironov requested confirmation the applications were in order. The Township Clerk confirmed they were.

It was MOVED by Lippman, SECONDED by Rosenberg to approve New Jersey Fireman's Association Membership Applications for Edwin Aybar, Gino Esposito, and Madeline Matamoros.

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

There being five (5) ayes and no (0) nays, New Jersey Fireman's Association Membership Applications for Edwin Aybar, Gino Esposito, and Madeline Matamoros were approved.

REPORTS BY COUNCIL AND STAFF:

Mr. Rosenberg stated the Commission on Aging met on January 27 and elected Sydelle Norris as Chair, Deb Thomas as Vice-Chair and Dilys Henninger as Secretary. The Commission discussed the Senior Center expansion project and the possibility of more virtual programs held via Zoom. Mr. Russell reported the Economic Development Committee discussed the Gateway Sign project and is currently finalizing the sign concept with the vendor. The Commission also discussed the Route 130/33 peninsula project and a project on the backside of the Public Works garage building facing the New Jersey Turnpike. Mr. Zoller reported the Planning Board discussed the Wells Fargo solar panel project, approved the Resolutions for Kaplan at Tacony on North Main Street and Innovation Park and approved the application for Primrose School child day care facility. Mayor Mironov added Primrose School was approved for the former Rite-Aid property and is a good fit for the transitional area.

CORRESPONDENCE:

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

APPOINTMENTS:

APPROVAL OF BILLS:

Mayor Mironov requested the phone bills and the bill to Comley Electric listed on the 2021 Current bills list be held and requested further information on both as to what they are for. She also requested additional information regarding the S&G invoice on page five, and if this was a new invoice. Mayor Mironov requested the phone service bills be held on the 2022 Current Bills list pending further information as to what these are for. She also requested the invoices for Fire Company No. 1 be held, as they are requesting over \$15,000 in expenditures, which is a significant part of their annual budget, so more information is needed as to what these expenditures are for and their purpose. Mr. Zoller requested staff look into possibilities for comped services from Comcast for the Senior Center.

It was **MOVED** by Russell, **SECONDED** by Lippman to approve the Bill Lists with the hold and clarifications.

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

There being five (5) ayes and no (0) nays, the various presented Bill Lists were approved with the holds and clarifications.

MATTERS BY COUNCIL:

Mayor Mironov stated a letter was received from Hamilton Township regarding a shared services agreement for health services, and requested the Clerk follow up on the matter to see if this needs action, or if the letter was sent in error. Mayor Mironov stated information was distributed regarding the Board of Public Utilities Energy Fund Grant and requested the Environmental Commission review the materials and determine if the Township should submit an application. Mayor Mironov stated a

memorandum was received from the Chief of Police regarding possible improvements to Windsor Perrineville Road, and indicated to Council Members would look for input on the subject at the next meeting. Mayor Mironov stated that before the Township moves forward with any improvements to the Anker Park lot, staff should meet with the Lee Family and Mercer County to get insight into issues regarding flooding in the area and potential solutions. Mayor Mironov announced information had been received from the League of Municipalities regarding the Louis Bay Scholarship competition, and asked the Clerk's Office to prepare a press release.

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
 - B. Building Completion: Schedule, Delays, Costs
 - C. Soil Testing
 - D. Site Work

Mayor Mironov requested Ordinance 2022-03 be held until the next Council meeting. Kevin Settembrino of Settembrino Architects provided a verbal update at the beginning of the meeting.

2. Union Transportation Trail Extension Project - Status

Mayor Mironov stated a letter was received from Hopewell Valley Engineering dated February 9th that they have resumed work on the project, and they will follow up with a subsequent letter with a full project timeline.

3. 2022 Summer Concerts and Events

Mayor Mironov indicated information was distributed from the Recreation Department regarding different options for the upcoming summer concerts. Mayor and Council discussed the options provided, and unanimously agreed to direct the Recreation Director to lock in concert dates with Wooden Ships and the B-Street Band, with a preference of early July dates if possible. Mayor and Council requested more information on Gypsy, and indicated that Frontiers would be a backup in case any of the other options mentioned were unavailable.

4. 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

Mayor Mironov stated this matter had been previously discussed at prior Council Meetings, and at this time the only outstanding issue is the proposed \$5,000 in engineering costs. Mayor and Council discussed when to act on the Resolution, and agreed that if the engineering costs are the only outstanding issue, the Resolution should be listed on the next Council agenda for action. Mayor Mironov stated that in addition to getting this matter resolved, she would like to resolve any other outstanding interlocal agreements with Hightstown, including for the Senior Center and dispatch services.

5. Township Gun Lock Safety Program

Mayor Mironov stated a memo from the Chief of Police was distributed with information on this year's gun lock safety program. Mayor and Council reviewed and approved the proposed event dates as outlined in the memo. Mr. Zoller requested the Chief of Police to provide additional background information and input on the potential issue of ghost guns in the community.

6. Open Space Acquisition Projects: Status and Required Actions

- A. 139 Woods Road (Block 44, Lot 1)
- B. 140 Woods Road (Block 46, Lot 26.03)

Mayor Mironov stated that the Township previously identified 139 Woods Road and 140 Woods Road as potential open space acquisition targets. She stated that contracts for the purchase of the properties had been prepared and provided to the property owner, Thompson Management, for their review. She stated once the contracts have been returned, the Council would discuss the subject further at a future meeting.

7. 2022 Municipal Budget Review Schedule

Mayor Mironov indicated that budget review meetings would be scheduled shortly, and requested feedback from Council Members as to their availability. After discussion, Mayor and Council agreed that the budget review meetings could start as early as 4 P.M.

MATTERS BY PUBLIC:

Kenneth Cohen of 24 Berwick Circle spoke regarding potholes on Conover Road heading east toward Old York Road.

ADJOURNMENT:

Mayor Mironov adjourned the meeting at 6:56 pm.

Next Meeting: February 22, 2022

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor