

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, April 4, 2023

5:00 p.m.

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, April 4, 2023.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on February 1, 2023 in the annual meeting notice. On March 31, 2023, 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 Senator Linda Greenstein.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Women's History Month – March 2023

Mayor Janice S. Mironov, joined by East Windsor Council Member Denise Daniels, Senator Linda Greenstein, Assemblywoman Verlina Reynolds-Jackson, Mercer County Clerk Paula Sollami-Covello, Mercer County Board of Commissioners Chair Lucylle Walter and Mercer County Commissioner Nina Melker, issued a Proclamation recognizing Women's History Month. Each elected official in attendance offered comments about the importance of recognizing Women's History Month, about the significance of women being involved in government and public service, and their own personal experiences.

Alcohol Awareness Month – April 2023

Mayor Janice S. Mironov, joined by Council Member Peter Yeager, Coordinator of the East Windsor Municipal Alliance for the Prevention of Substance Abuse (EWMAPSA), proclaimed the month of April Alcohol Awareness Month and presented a Mayoral Proclamation and a \$1,100 grant check from the East Windsor Municipal Alliance for the Prevention of Substance Abuse grant to the East Windsor Regional School District Hightstown High School After Prom Committee, represented by After Prom Committee President Ed Hirschman and After Prom Committee Treasurer Debbie Dorfman.

National Library Week – (April 23 – 29, 2023)

Mayor Janice S. Mironov proclaimed National Library Week April 23 to 29, with the theme "There's More to the Story" and recognized the important role of the two East Windsor library branches, Hickory Corner and Twin Rivers, of the Mercer County Library system. Mayor Mironov presented the Proclamation, along with Barnes and Noble gift certificates donated by Shiseido America, to Sharon Galbraith Ryer, Branch Manager of the Hickory Corner Library and Jeanne Murray, Branch Manager of the Twin Rivers Library branch, along with East Windsor Township Mercer County Library Commission Representative Phyllis Anker, President of the Friends of the Library for Hickory Corner Library Debbie Scherholz, President of the Friends of the Library for Twin Rivers Library Allan Siskind, and Vice President of the Friends of the Library for Twin Rivers Library Terry Goldstein.

Yom Hashoah – Day of Remembrance of the Holocaust – (April 17, 2023)

Autism Awareness Month – April 2023

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for boards and commissions.

PUBLIC FORUM:

No one spoke during the public forum.

MINUTES:

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

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2023-01 An Ordinance Amending and Supplementing Chapter V, "General Police Regulations" Section 5-16 "Towing and Storage of Vehicles" to Revise the Towing and Storage Fee Schedule of the Revised General Ordinances of the Township of East Windsor.

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER
ORDINANCE NO. 2023-01**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER V, "GENERAL POLICE REGULATIONS," SECTION 5-16 "TOWING AND STORAGE OF VEHICLES," SUBSECTION 5-16.7 "TOWING AND STORAGE FEES," TO REVISE THE TOWING AND STORAGE FEE SCHEDULE, 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 the Revised General Ordinances of the Township of East Windsor is hereby amended as follows (deleted sections are noted by strikethroughs, new sections are underlined):

Council Meeting Minutes

April 4, 2023

Page 3

1. Chapter V, "General Police Regulations," Section 5-16, "Towing and Storage of Vehicles," Subsection 5-16.7 "Towing and Storage Fees," is hereby amended as follows:
 - b. The following rates for cars, vans, pickups and four-wheel vehicles up to 6,000 pounds and motorcycles will apply for the first half hour of service except for crane service. After the first half hour of service, all time will be charged at \$75 per hour. If dolly wheels are used, there will be an additional charge of \$15.
2. Cars, vans, pickups and four-wheel vehicles up to 6,000 pounds:

Normal town within township limits:	\$175.
Winch job, pole, roll over:	\$150 minimum.
Car carrier:	\$100.
3. Motorcycles and bikes:

Pick-up of motorcycles:	\$175
Pick-up of trail bikes or minibikes:	\$175.
Use of flatbed:	\$175.
4. Tows outside the township limits will be charged at \$3 per mile plus tolls.
5. Crane service shall be \$500 per hour with a minimum of two hours to be charged.
6. A basic environmental or crash scene clean-up includes removing of debris, sweeping of glass and vehicle fluids using an absorbent material. The rate shall be charged at \$75 for the first 30 minutes which includes the service and one bag or absorbent. Additional bags shall be charged at a rate of \$30 for each.
 - b. The following rates for trucks, tractor trailers, buses and other vehicles over 6,000 pounds will apply for the first half hour of service. After the first half hour of service, all time will be charged at \$250 per hour except for crane service. Additional wreckers called out will be charged at \$200 per hour. An extra person, if needed, will be charged at an additional \$50 per hour.
7. Trucks and vehicles over 6,000 pounds:

Normal town within township limits:	
6,000 pounds to 15,000 pounds:	<u>\$250</u>
Over 15,000 pounds:	<u>\$400</u>
8. School buses:

Normal tow within township limits:	<u>\$200</u>
------------------------------------	--------------
9. Buses (private or charter):

Normal tow within township limits:	<u>\$500</u>
------------------------------------	--------------
10. Tractor trailers:

Normal tow within township limits:	<u>\$500</u>
------------------------------------	--------------
11. Tows outside the township limits will be charged at \$5 per mile. (Trailers will be dropped at nearest possible location.)
12. Crane service shall be ~~\$450~~ \$500 per hour with a minimum of two hours to be charged.
13. Specialized equipment rates:

Heavy duty underlift:	\$325 per hour
48 foot tilt trailer service:	\$325 per hour.

 - b. Double Tow. When any vehicle is brought from the original location to police headquarters for investigative purposes, and upon completion, is moved from police headquarters to a final destination, the charge will be one and one-half times the actual rate for one tow.
 - c. Roadside Assistance Calls.
14. Basic roadside assistance such as tire changing, up to two gallons of fuel, or jump starting. Due to roadway design, traffic patterns, and the inability to conduct quick roadside assistance, the Township of East Windsor does not recognize roadside assistance for vehicle in excess of 16,001 lbs. Disabled vehicles over 16,001 lbs. must be towed from the roadway or any other vehicle deemed to be unsafe on the roadway. If the roadside assistance call for service results in a tow, then the vehicle operator

will only be charged for the towing. The rates charged for roadside assistance for the first 20 minutes will be:

Cars, vans, pickups and four-wheel vehicles up to 6,000 pounds

8:00 a.m. to 5:00 p.m. \$55

5:01 p.m. to 8:00 a.m. \$65

Trucks and buses

8:00 a.m. to 5:00 p.m. \$85

5:01 p.m. to 8:00 a.m. \$95

After the first 20 minutes, all time will be charged at \$75 per hour.

15. Storage.

- a. Storage begins at the date and time vehicle is placed on property of towing service. Storage will be charged for each 24 hour time period (or any portion thereof) as set forth below. Any vehicle release prior to 12 hours storage will be charged at only half of the 24 hour rate, except as set forth below.

Cars:

Impounds and disabled \$45/each 24 hours

Accidents \$45/each 24 hours

Inside storage \$60/each 24 hours

Vehicles kept over 12 hours, but under 24 hours \$20/each

Motorcycles, minibikes, trail bikes (must be locked in secure enclosure): \$30/each 24 hours

Trucks:

Tractor \$75/each 24 hours

Trailer \$75/each 24 hours

Both tractor and trailer \$150/each 24 hours

Buses \$150/each 24 hours

Township vehicles:

For first 30 days \$3/each 24 hours

For 31st day and thereafter (not to exceed \$400) \$2/each 24 hours

- b. The towing service will have someone available daily to release vehicles after normal business hours of 8:00 a.m. to 5:00 p.m. and will charge as follows:

5:00 p.m. to 12:00 a.m. \$50 administrative release cost

12:01 a.m. to 8:00 a.m. \$75 administrative release cost

**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 the Ordinance was introduced at the March 5 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2023-01. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Lippman, SECONDED by Yeager to adopt Ordinance 2023-01 and authorize publication as required by law.

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

There being five (5) ayes, and no (0) nays, Ordinance 2023-01 was adopted and publication authorized as required by law.

Ordinance No. 2023-02 An Ordinance to Repeal and Replace a Portion of Chapter 22, “Technical Standards for the Construction of Improvements” Subsection 22-24, “Flood Damage Prevention Code” of the Revised General Ordinances of the Township of East Windsor, to Incorporate New Jersey Flood Damage Prevention Provisions.

[NOTE: Due to the size of Ordinance 2023-02, the Ordinance is not included in the minutes, but is available in full on the Township website.]

Mayor Mironov stated the Ordinance was introduced at the March 5 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2023-02. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Daniels to adopt Ordinance 2023-02 and authorize publication as required by law.

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

There being five (5) ayes, and no (0) nays, Ordinance 2023-02 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

Ordinance No. 2023-03 An Ordinance to Exceed the Municipal Budget Appropriation Limits to Establish a Cap Bank.

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY, NEW JERSEY
ORDINANCE NO. 2023-03**

**AN ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of East Windsor in the County of Mercer finds it advisable to permit an increase of its CY 2023 budget by up to 3.5%, if necessary, over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that an increase of up to 1 % increase in the budget for said year, amounting to \$182,765.17 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final CY 2023 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

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

I

1. In the CY 2023 budget year, the final appropriations of the Township of East Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$657,178.10 and that the CY 2023 municipal budget for the Township of East Windsor be approved and adopted in accordance with this ordinance; and,
2. Any amount authorized herein that is not appropriated as part of the final CY 2023 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.
3. A certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction.
4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with said Director within 5 days after such adoption.

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 twenty (20) days after the final passage and publication as required by law.

It was **MOVED** by Yeager, **SECONDED** by Zoller to approve Ordinance 2023-03 on introduction, authorize publication as required by law, and set a public hearing for April 25, 2023.

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

There being five (5) ayes, and no (0) nays, Ordinance 2023-03 was approved on introduction, authorized publication as required by law, and public hearing set for April 25, 2023.

RESOLUTIONS

Resolution R2023-056 Approval of Agreement with Windsor Regency Condominium Association for Reimbursement for Private Community Services for 2022

**RESOLUTION R2023-056
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 2022 in the amount of \$1,711.99 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. 3-01-26-325-802-253 entitled “Condo Services”, in the amount of \$1,711.99, as per the 2023 temporary budget and pending adoption of the 2023 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2023-012.

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 with Windsor Regency Condominium Association for the year 2022 in the amount of \$1,711.99 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was **MOVED** by Lippman, **SECONDED** by Daniels to approve Resolution R2023-056.

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

There being five (5) ayes, and no (0) nays, Resolution 2023-056 was approved.

Resolution R2023-057 Approval of Contract for Tax Assessment Computer System with BRT Technologies for Tax Assessor Office.

**RESOLUTION R2023-057
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for data processing services for the Tax Assessor's Office; and

WHEREAS, BRT Technologies is the Mercer County Tax Board's sole tax assessment software provider beginning March 1, 2020; and

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

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

WHEREAS, the maximum amount of the purchase is \$12,048.00 and funds are available in the 2023 Current Fund Account No. 3-01-20-140-140-245, entitled "Data Processing", pending adoption of the 2023 budget, as evidenced by the Chief Financial Officer's Certification No. B2023-013.

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 BRT Technologies, LLC, 22 Birchwood Lane, Mantua, NJ 08051 for the purchase of data processing services, in the amount of \$1,004.00 per month for the period of May 1, 2023 through April 30, 2024, for a total amount not to exceed \$12,048.00, as per the attached quote.

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

Mayor Mironov requested the Resolution and the Finance Director's certification be revised with the correct funding source.

It was **MOVED** by Daniels, **SECONDED** by Lippman to approve Resolution R2023-057 with revisions.

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

There being five (5) ayes, and no (0) nays, Resolution 2023-057 was approved with revisions.

Resolution R2023-058 Approval of Purchase of Evidence Locker from Diversified Storage Solutions, Inc. for Police Department.

RESOLUTION R2023-058
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase an evidence locker for the Police Department; and

WHEREAS, a cost proposal was submitted by Diversified Storage Solutions Inc., the sole provider of this equipment, through State Contract #19-GNSV1-00630, which is valid through April 30, 2023, in the amount of \$12,620.18; and

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

WHEREAS, the Township Council has reviewed the Police Department's recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$12,620.18 and funds are available in Capital Account No. C-04-55-980-927-303 entitled Ordinance 2022-08 "Police Acquisition of Evidence Locker," as evidenced by the Chief Financial Officer's Certification No. C2023-011.

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

1. The Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition through State Contract #19-GNSV1-00630 to Diversified Storage Solutions Inc., 56 Buttonwood Street, Norristown, PA 19401 for the purchase of a Spacesaver Pass Thru Temporary Evidence Storage Locker for the Police Department, in an amount not to exceed \$12,620.18, in accordance with the attached quote.

It was **MOVED** by Yeager, **SECONDED** by Zoller to approve Resolution R2023-058.

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

There being five (5) ayes, and no (0) nays, Resolution 2023-058 was approved.

Resolution R2023-XXX Approving Operating Assistance Agreement between New Jersey Transit Corporation and East Windsor Township for the Community Bus and Princeton Junction Shuttle for FY2022-2023 Grant Year

The Resolution was carried to the next Council meeting. Mayor Mironov requested Mr. Brady provide copies of any correspondence with New Jersey Transit on this matter.

Resolution R2023-XXX Approving Shared Services Agreement between Township of East Windsor and County of Mercer for Contribution to Public Transportation Services and Coordination of Transportation Services for the Use of FTA 5310 Vehicle

The Resolution was carried to the next Council meeting.

Resolution R2023-XXX Approving Shared Services Agreement between Township of East Windsor and Borough of Hightstown for Contribution of Matching Local Share for Bus Services

The Resolution was carried to the next Council meeting.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF:

There were no reports by Council and Staff.

CORRESPONDENCE:

Mayor Mironov stated a memo from the Recreation Director March 31 was received with the 2023 summer concert schedule. A memo was also received from the Chief of Police, dated March 30, regarding the 2023 Child Safety Seat program. Mayor Mironov stated East Windsor Volunteer Fire Company No. 1 submitted information regarding the fire truck replacement process, and she requested additional information on the timeline for a potential auction. Mayor Mironov stated that the Township was seeking nominations for the “Sylvia Weiss Senior Citizen Award for Outstanding Service as a Volunteer.”

APPOINTMENTS:

There were no appointments.

APPROVAL OF BILLS:

Mayor Mironov stated a 2022 Current Bill list, 2023 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

It was MOVED by Zoller, SECONDED by Yeager to approve the various Bill lists.

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

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

MATTERS BY COUNCIL:

There were no matters raised by Council.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. State Health Benefits Plan, (SHIP) Health Insurance Options

Mayor Mironov stated that Township Manager had received the Township's experience history from the State Health Benefits Plan program. She asked Mr. Brady to identify the next steps and report back to Council.

2. 2023 Municipal Budget and Budget Review

Mayor Mironov informed Council Members that the Township Manager and the Finance Director were gathering the necessary information and that potential dates for budget review sessions would be forthcoming.

MATTERS BY PUBLIC:

No one from the public spoke.

ADJOURNMENT:

Next Meeting: April 25, 2023

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor