

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, July 25, 2023

5:30 p.m.

MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 5:30 p.m. on Tuesday, July 25, 2023.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on February 1, 2023 in the annual meeting notice. On July 21, 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 James Cole.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

National Night Out (August 1, 2023)

Mayor Janice S. Mironov announced that National Night Out would be held on Tuesday, August 1 from 6 PM to 9 PM at the Police Athletic League fields on Airport Road.

Mayor Mironov stated due to the vacancy on the Township Council after Mr. Yeager's resignation, a letter was submitted by the Mercer County Democratic Committee with three names for consideration to fill the vacancy.

It was **MOVED** by Russell, **SECONDED** by Daniels to appoint Anthony Katawick as a Township Council member, effective July 25, 2023.

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

There being five (5) ayes and no (0) nays, Anthony Katawick was appointed as a Township Council member, effective July 25, 2023.

Mayor Mironov performed the Oath of Office and swore in Mr. Katawick.

Mayor Mironov stated due to the vacancy on the Township Council after Mr. Rosenberg's passing, a letter was submitted by the Mercer County Democratic Committee with three names for consideration to fill the vacancy.

It was MOVED by Lippman, SECONDED by Zoller to appoint Johnnie Whittington as a Township Council member.

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

There being five (5) ayes and no (0) nays, Johnnie Whittington was appointed as a Township Council member.

Mayor Mironov stated Mr. Whittington would be sworn in at the August 8 Council meeting.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Shivani Patel was interviewed and is interested in the Health Advisory Board or the Planning Board.

PUBLIC FORUM:

Terrance Brogan of Hemlock Court asked if the discussion item for the roadway grants would include Hemlock Court. He also asked for an update on air conditioning for the Senior Center, and if the Township had every considered live-streaming meetings.

Mayor Mironov stated Hemlock Court was included in the grant application and the Township is aiming to complete the project sometime in 2024. She stated staff would be providing an update on the Senior Center air conditioning tonight. She stated there was no current plans to live stream meetings, but they would consider the suggestion.

MINUTES:

April 4, 2023 Minutes

It was MOVED by Zoller, SECONDED by Lippman to approve the April 4, 2023 minutes.

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

There being four (4) ayes, no (0) nays, and two (2) abstentions, the April 4, 2023 minutes were approved.

April 25, 2023 Minutes

Mayor Mironov indicated a few typographical errors that needed to be corrected in the minutes. She asked that page numbers be added, and clarification that the presentations were done at the Senior Center that evening.

It was MOVED by Zoller, SECONDED by Russell to approve the April 25, 2023 minutes with the revisions.

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

There being three (3) ayes, no (0) nays, and three (3) abstentions, the April 25, 2023 minutes were approved with revisions.

June 27, 2023 Minutes

Mayor Mironov indicated a few typographical errors that needed to be corrected in the minutes, and that the play equipment discussion item should be updated with additional quote details and comments from Ms. Daniels.

It was MOVED by Lippman, SECONDED by Daniels to approve the June 27, 2023 minutes with the revisions.

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

There being five (5) ayes, no (0) nays, and one (1) abstention, the June 27, 2023 minutes were approved with revisions.

July 5, 2023

It was MOVED by Zoller, SECONDED by Russell to approve the July 5, 2023 minutes.

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

There being four (4) ayes, no (0) nays, and two (2) abstentions, the July 5, 2023 minutes were approved.

ORDINANCE – PUBLIC HEARING:

There were no Ordinances for Public Hearing.

ORDINANCE – INTRODUCTION:

There were no Ordinances for Introduction.

RESOLUTIONS:

Resolution R2023-114 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2022
American Rescue Plan Firefighter Grant Program

RESOLUTION R2023-114A
EAST WINDSOR TOWNSHIP
MERCER COUNTY

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

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

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

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

1. The insertion of an item of revenue in the budget of the year 2023 in the sum of \$29,000.00 which item is now available as revenue for 2022 American Rescue Plan – East Windsor Volunteer Fire Company No. 1 – Firefighter Grant.
2. A like sum of \$29,000.00 is hereby appropriated under the caption of 2022 American Rescue Plan – East Windsor Volunteer Fire Company No. 1 – Firefighter Grant.

RESOLUTION R2023-114B
EAST WINDSOR TOWNSHIP
MERCER COUNTY

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

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

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

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

1. The insertion of an item of revenue in the budget of the year 2023 in the sum of \$29,000.00 which item is now available as revenue for 2022 American Rescue Plan – East Windsor Volunteer Fire Company No. 2 – Firefighter Grant.
2. A like sum of \$29,000.00 is hereby appropriated under the caption of 2022 American Rescue Plan – East Windsor Volunteer Fire Company No. 2 – Firefighter Grant.

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

Mayor Mironov asked the Resolution be revised to reflect the two grant awards, one for each Fire Company.

It was MOVED by Zoller, SECONDED by Russell to approve Resolution R2023-114A and R2023-114B with revisions.

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

There being six (6) ayes and no (0) nays, Resolution R2023-114A and Resolution R2023-114B was approved with revisions.

Resolution R2023-115 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023
Distracted Driving Crackdown Click It or Ticket Seat Belt
Mobilization Grant Program

RESOLUTION R2023-115
EAST WINDSOR TOWNSHIP
MERCER COUNTY

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

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

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

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

1. The insertion of an item of revenue in the budget of the year 2023 in the sum of \$7,000.00 which item is now available as revenue for Click It or Ticket 2023 Seat Belt Mobilization.

2. A like sum of \$7,000.00 is hereby appropriated under the caption of It or Ticket 2023 Seat Belt Mobilization.

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

Mayor Mironov asked the Resolution be revised to correct the program name from Distracted Driving to Click It or Ticket.

It was MOVED by Daniels, SECONDED by Lippman to approve Resolution R2023-115 with revisions.

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

There being six (6) ayes and no (0) nays, Resolution R2023-115 was approved with revisions.

Resolution R2023-116 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for SFY 2023
New Jersey Transit Grant Program

Mayor Mironov asked this item be held to the next Council meeting.

Resolution R2023-117 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 Clean
Communities Grant Program

RESOLUTION R2023-117
EAST WINDSOR TOWNSHIP
MERCER COUNTY

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

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

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

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

1. The insertion of an item of revenue in the budget of the year 2023 in the sum of \$60,948.92 which item is now available as revenue for 2023 Clean Communities Grant.

2. A like sum of \$60,948.92 is hereby appropriated under the caption of 2023 Clean Communities Grant.

It was MOVED by Daniels, SECONDED by Katawick to approve Resolution R2023-117.

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

There being six (6) ayes and no (0) nays, Resolution R2023-117 was approved.

Resolution R2023-118 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023/2024
Vaccination Supplemental Funding

Mayor Mironov asked this item be held to the next Council meeting.

Resolution R2023-119 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023/2024
New Jersey Department of Health Strengthening Local Public
Health Capacity Program

Mayor Mironov asked this item be held to the next Council meeting.

Resolution R2023-120 Renewal of Alcoholic Beverage Control License for Ami & Sami,
Inc. (Pocket License)

**RESOLUTION R2023-120
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, Ami & Sami, Inc., has filed an online application for renewal of Plenary Retail Consumption License No. 1101-33-023-002 with the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, on June 10, 2023 Paramjeet Kaur, President of Ami & Sami, Inc. filed an electronic Verified Petition Form to request a 12.39 special ruling for the renewal of their liquor license for the 2023-2024, and on June 28, 2023 the Division of Alcoholic Beverage Control issued a special ruling to allow the renewal of this license; and

WHEREAS, the Municipal Clerk represented that the application is in order and the proper fees have been submitted to the Township of East Windsor and to the Division of Alcoholic Beverage Control; and

WHEREAS, no objections have been made to the renewal of this license; and

WHEREAS, the Chief of Police has advised that a review of police records and records supplied by the New Jersey Division of Alcohol Beverage Control do not reveal any facts or circumstances that would preclude license renewal.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, does hereby approve the renewal of the aforesaid license for the year July 1, 2023 to June 30, 2024, and the Municipal Clerk is hereby authorized and directed to issue said license.

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

Mayor Mironov asked the Resolution be revised to include a paragraph about the special ruling from the Alcoholic Beverage Control division.

Mayor Mironov asked if anyone from the public had any comment on the issuance of this license. No one spoke.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2023-120 with revisions.

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

There being six (6) ayes and no (0) nays, Resolution R2023-120 was approved with revisions.

Resolution R2023-121 Action on Award of Contract to Skyline Environmental, Inc. for
Right-to-Know Survey Services

RESOLUTION R2023-121
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need for professional services to conduct the annual Right-to-Know Survey for East Windsor Township; and

WHEREAS, three quotes were solicited and received for these services; and

WHEREAS, since the contract 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 the Township Manager's recommendation; and

WHEREAS, the maximum amount of the service is \$6,500.00 and funds are available in Current Account No. 3-01-23-210-109-311, entitled "Other Insurance Premiums" as evidenced by the Chief Financial Officer's Certification No. B2023-024.

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 Skyline Environmental Inc., 740 Highway 34, Suite E, Old Bridge Township, NJ 07747 for Right-to-Know Survey services, in an amount not to exceed \$6,500.00 all in accordance with the attached quote.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2023-121.

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

There being six (6) ayes and no (0) nays, Resolution R2023-121 was approved.

Resolution R2023-122 Authorizing Memorandum of Understanding with Trenton City Health Department for Public Nurse Case Management Services

**RESOLUTION R2023-122
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township of East Windsor and the City of Trenton are desirous of entering into a Memorandum of Understanding to memorialize an agreement wherein the City of Trenton Health Department will provide for the delivery of public health nurse case management services for lead-burdened children in East Windsor Township; and

WHEREAS, the City of Trenton is offering these services under a shared services collaboration underwritten by grant funding, at no cost to East Windsor Township.

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 Memorandum of Understanding between the Township of East Windsor and the City of Trenton for Public Nurse Case Management Services for Childhood Lead Poisoning, effective July 1, 2023, is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Memorandum of Understanding with the City of Trenton.

It was MOVED by Lippman, SECONDED by Daniels to approve Resolution R2023-122.

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

There being six (6) ayes and no (0) nays, Resolution R2023-122 was approved.

Resolution R2023-123 Action on Award of Contract to Municipal Inspection Corp. for Elevator Inspection Services

**RESOLUTION R2023-123
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

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

WHEREAS, the Township solicited quotes from the New Jersey Department of Community Affairs certified vendors by a notice seeking requests for proposals which was posted and distributed on May 8, 2023, for private elevator on-site inspection and plan review services and one proposal was received by the Township Clerk by the required date of June 8, 2023; and

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

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

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Trust Fund Account No. T-13-56-854-802 entitled “Elevator Inspections”, as evidenced by the Chief Financial Officer’s Certification No. T2023-001.

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

1. The Contract for Private Elevator On-site Inspections and Plan Review is hereby awarded to Municipal Inspection Corporation, 183 West 4th Street, Bayonne, NJ 07002, for a period of two years, commencing August 1, 2023 and ending July 31, 2025, at 100% of the New Jersey Department of Community Affairs fees.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the Contract for same.

It was MOVED by Katawick, SECONDED by Russell to approve Resolution R2023-123.

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

There being six (6) ayes and no (0) nays, Resolution R2023-123 was approved.

Resolution R2023-124 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2022 Local
Recreation Improvement Grant Program

**RESOLUTION R2023-124
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

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

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

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

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

1. The insertion of an item of revenue in the budget of the year 2023 in the sum of \$75,000.00 which item is now available as revenue for 2022 Local Recreation Improvement Grant.
2. A like sum of \$75,000.00 is hereby appropriated under the caption of 2022 Local Recreation Improvement Grant.

It was MOVED by Daniels, SECONDED by Katawick to approve Resolution R2023-124.

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

There being six (6) ayes and no (0) nays, Resolution R2023-124 was approved.

Resolution R2023-125 Action on Award of Contract for Resurfacing and Associated Repairs for Edward Drive, Lynnfield Drive, Portion of Maple Stream Road and Poplar Run

**RESOLUTION R2023-125
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the Resurfacing and Associated Repairs for Edward Drive, Lynnfield Drive, Portion of Maple Stream Road and Poplar Run; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on June 9, 2023 for the Resurfacing and Associated Repairs for Edward Drive, Lynnfield Drive, Portion of Maple Stream Road and Poplar Run; and

WHEREAS, one bid was received on July 7, 2023 by the Municipal Clerk's Office; and

WHEREAS, the bid was submitted by Earle Asphalt Company; and

WHEREAS, the maximum amount of the contract is \$748,713.13 and sufficient funds are available in the following accounts: Capital Account No. C-04-55-980-923-890 entitled Ordinance 2019-01 "Annual Road

Program” in the amount of \$796.10; Capital Account No. C-04-55-980-924-890 entitled Ordinance 2020-07 “Annual Road Program” in the amount of \$2,711.62, and in Capital Account No. C-04-55-980-927-890 entitled Ordinance 2022-8 “Annual Road Program” in the amount of \$745,205.41, as evidenced by the Chief Finance Officer’s Certification No. C2023-017.

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

1. The contract for the Resurfacing and Associated Repairs for Edward Drive, Lynnfield Drive, Portion of Maple Stream Road and Poplar Run for a total contract amount not to exceed \$748,713.13, is awarded to Earle Asphalt Company, 1800 Route 34, Wall, NJ 07719.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
3. The Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder upon the receipt of a fully executed contract.

It was **MOVED** by Daniels, **SECONDED** by Katawick to approve Resolution R2023-125.

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

There being six (6) ayes and no (0) nays, Resolution R2023-125 was approved.

Resolution R2023-XXX Action on Award of Contract for Professional Engineering Services for Airport Road Connector Bikeway Concept and Preliminary Engineering

Mayor Mironov asked this item be held to the next Council meeting.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF:

Mr. Zoller stated the Environmental Commission met on July 19 and discussed National Night Out, providing a replacement tree in the Arboretum and Eta Lake Park, and some upcoming educational opportunities for commission members. He also reported the Planning Board met on July 24 and approved an extension of time for Community Investment Strategies for a residential project, and reviewed a capital project for the East Windsor MUA for a new building. They also heard initial testimony from QTS Data Centers regarding a proposed expansion.

Mr. Russell provided an updated from the Municipal Alliance for the Prevention of Substance Abuse, and stated the grant funds had been received, and the Alliance was running an ad at the local movie theater.

CORRESPONDENCE:

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

APPOINTMENTS:

It was MOVED by Katawick, SECONDED by Zoller to appoint Joseph Miczak to the Planning Board for an unexpired term expiring December 31, 2024.

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

There being six (6) ayes and no (0) nays, Joseph Miczak was appointed to the Planning Board for an unexpired term expiring December 31, 2024.

Mayor Mironov appointed Michael Trivisonno as a Class II Member of the Planning Board for the remainder of 2023.

APPROVAL OF BILLS:

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

Mayor Mironov asked to hold the invoice to Extravaganza Entertainment on the Grant bills list and stated this should be processed from a different account. The Aurobindo NNO donation needs to be incorporated as a Chapter 159.

It was MOVED by Lippman, SECONDED by Zoller to approve the Bill lists with the requested holds and clarifications.

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

There being six (6) ayes, and no (0) nays, the various presented Bill lists were approved with the requested holds and clarifications.

MATTERS BY COUNCIL:

Mr. Zoller stated there are loud engine braking noises coming from Route 133. Mayor Mironov asked the Chief to look into.

Mayor Mironov reported the following correspondence had been received: a memo from the Manager dated June 28 regarding bills list questions from the June 27 meeting; a tax collector report for the period ending June 30; a memo from DPW dated June 26 regarding the repair of Garbage Truck S-09; a letter from NJDOT regarding the Township's grant award from Greenbrook Drive; a memo from the Tax Collector dated July 18 regarding the delay in tax bills and grace period extension; two NJDOT pre-construction meeting notices for two projects (Route 130 from Westfield to Main Street and Maintenance Roadway Contract C217); a letter dated July

20 from the New Jersey Health Insurance Fund regarding health insurance fund option, and energy tax receipts certification from the state.

Mayor Mironov announced National Night out would be taking place August 1, the Latino Festival would be taking place on September 3, and the September 11 memorial would take place on September 11 this year.

Mayor Mironov and Council reviewed the dates of the next several Council meetings and decided to cancel August 8, and meet on September 12 and 26, October 10 and 24, and Wednesday, November 8.

Mayor Mironov asked for an update on the Township map from the EDC. She stated the 2021 UCF Stewardship Grant needs to be closed out by the September 3 deadline. She asked for an update on closing out the other roadway projects, what the opioid settlement funds could be used for, if the NJAG spotted lanternfly program is viable, and if the 2024 Fitness Grant program is viable.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Township Senior Center Air Conditioning Status Report
Resolution R2023-126 Action on East Windsor Senior Center Air Conditioning

RESOLUTION R2023-126 EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there is an immediate need to replace five air conditioning condenser units at the Senior Center; and

WHEREAS, the Township Council has reviewed the Township Manager's Statement of Need for Emergency Purchase, dated July 18, 2023, attached and incorporated herein, which declares this to be an emergency procurement under the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 finding that the purchase may be made without public bidding; and

WHEREAS, an emergency contract pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, may be awarded without public advertisement for bids and bidding as the lack of adequate air conditioning for the Senior Center constitutes an emergency affecting the public health and safety, requiring the immediate purchase and installation of five replacement air conditioning condenser units for the Senior Center; and

WHEREAS, pursuant to the New Jersey Local Public Contracts Law, specifically N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, the Township Manager's Statement of Need for Emergency Purchase, dated July 18, 2023, a copy of which memorandum is attached and incorporated in this Resolution, certifies that the need for the five replacement air conditioning condensing units has arisen notwithstanding a good faith effort on the part of the Township to plan for this purchase through the advertisement for bids and through a search for applicable State contracts; that no bids were received and no State contracts are available for this purchase; that there was not adequate time to rebid and to have the units installed during the current summer season; that a properly functioning air conditioning system in the Senior Center is vital to the health and safety of the staff and citizens working in and utilizing the Senior Center; and that the contract is limited to meet the immediate needs of the emergency; and

WHEREAS, a cost proposal for the emergency work was submitted by SG Heating and Air Conditioning, LLC; and

WHEREAS, the maximum amount of the purchase is \$98,874.00 and funds are available in Capital Fund Account No. C-04-55-980-925-950 entitled Ordinance 2020-09 “Senior Center Expansion Project” in the amount of \$98,874.00, as evidenced by the Chief Financial Officer’s Certification No. C2023-016.

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

1. The Manager and Chief Finance Officer are hereby authorized and directed to approve and forward a purchase order to SG Heating and Air Conditioning, 50 Cunningham Avenue, Hamilton NJ 08610, for the purchase and installation of five replacement air conditioning condenser units and the conversion of freon, for a total amount not to exceed \$98,874.00, all in accordance with the attached quote.

It was MOVED by Katawick, SECONDED by Lippman to approve Resolution R2023-126, on the condition the work will be done this summer and confirmation of the funding source.

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

There being six (6) ayes, and no (0) nays, Resolution R2023-126 was conditionally approved, on the condition the work will be done this summer and confirmation of the funding source.

2. Township Park and Recreation Improvements
 - a. Anker Park
 - i. New Playground Equipment Installation Status/Date/Funding
 - ii. Walking Pathway Status
 - iii. Rubber Play Surface
 - b. Westfield Park
 - i. Tennis Courts
 - ii. Handball Court
 - c. Senior Center Outdoor Recreation/Amenities
 - d. Etra Lake Park/Concert Stage
 - e. Report on All Parks, Facilities and Equipment

Mayor Mironov requested this item be listed on the next Council agenda. A Resolution for the new playground equipment at Anker Park should be listed on the next agenda. Mayor Mironov reported DPW is working on the walking pathway and work should be completed this week. Staff should look into amenities like bocce ball, shuffleboard or horseshoes for the senior center, and a band shell and sound system for Etra Lake Park.

3. New Jersey Department of Transportation Roadway Grants
 - a. New Jersey Department of Transportation Fund Program Grant for Greenbrook Drive and Connecting Streets

- b. New Jersey Department of Transportation Municipal Aid Grant for Beechcroft Drive and Connecting Streets

Staff was directed to begin preparing the request for proposals for these projects.

4. 2022 Municipal Audit Status

The Township received a letter from Samuel Klein willing to amend contract to include the 2022 Audit. The Clerk will list an amending Resolution on next agenda for consideration. Finance needs a plan/process to connect with auditor annually in March to begin audit process in April, so this issue doesn't happen again.

5. Township Housing Rehabilitation Program Status: New Jersey Department of Community Affairs Community Development Block Grant Receipt, Program Administration Agreement (Community Grants Planning & Housing)

The Manager and Clerk will look at what CGP&H needs for contract amendment and will provide additional information. Mayor Mironov requested this item be listed on the next agenda.

6. Township "Do Not Solicit" Ordinance

ORDINANCE – INTRODUCTION:

Ordinance No. 2023-10 An Ordinance Amending and Supplementing Chapter VI, "Licensing," Section 6-2 "Itinerant Sales Person," and Adding a New Subsection 6-2.11, "Do Not Solicit List," of the Revised General Ordinances of the Township of East Windsor

ORDINANCE NO. 2023-10 TOWNSHIP OF EAST WINDSOR COUNTY OF MERCER

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VI, "LICENSING," SECTION 6-2 "ITINERANT SALES PERSON," AND ADDING A NEW SUBSECTION 6-2.11, "DO NOT SOLICIT LIST," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR

WHEREAS, the existing licensing regulations of the Township of East Windsor as pertains to itinerant sales people are set forth in Chapter VI, entitled "Licensing," of the Revised General Ordinances of the Township of East Windsor; and

WHEREAS, the Mayor and Council desire to make certain revisions thereto relating to a resident's right to privacy and quiet as pertains to itinerant sales people.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, Chapter VI, "Licensing," Section 6-2 "Itinerant Sales Person," is amended and supplemented, as follows:

SECTION 1. Subsection 6-2.11, "Do Not Solicit List," is added as follows:

6-2.11 Do Not Solicit List

- A. All residents of the Township of East Windsor may register their name and address with the Municipal Clerk together with a request to be placed on the “Do Not Solicit” list to be maintained by the Township. This list shall register residents who do not wish to be approached at their residence or within the perimeter of their property by any itinerant sales person without exception.
- B. All residents who have registered on the “Do Not Solicit” list may obtain from the Municipal Clerk at no charge a sticker for display on their property warning that the property is on the “Do Not Solicit” list. Display of a sticker is not required for enforcement of the “Do Not Solicit” ban.
- C. It shall be unlawful for an itinerant sales person to approach or seek personal contact with the occupant of the residence either at the residence or within the perimeter of the property if the residence is registered on applicable “Do Not Solicit” list. All nonprofit, religious, or political groups canvassing exclusively door-to-door shall be exempt from the prohibitions of this section.
- D. All itinerant sales people shall be required to obtain the most current applicable “Do Not Solicit” list from the Municipal Clerk when acquiring their license to operate.
- E. Violation of this Ordinance shall be a \$100 fine and revocation of the license to operate in the Township. Revocation of the license shall be applicable to the company to which the license is issued and includes all employees working for the company.
- F. Residents shall remain on the “Do Not Solicit” list until resident requests to be removed or resident moves from the registered address.
- G. The Municipal Clerk shall maintain the “Do Not Solicit” list and provide a current copy to all who receive a license as an itinerant sales person. The Municipal Clerk shall thereafter provide these individuals with updated copies of the lists upon request.
- H. This Ordinance shall not be applicable to nonprofit and/or political groups.
- I. The Police Department shall be responsible for the enforcement of this Ordinance and the Municipal Clerk shall forward copies of the lists and list updates to the Chief of Police for enforcement purposes.

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

SECTION 3. 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 4. Effective Date. This Ordinance shall take effect upon final adoption, publication as required by law.

It was MOVED by Russell, SECONDED by Lippman to approve Ordinance 2023-10 on introduction, authorize publication as required by law, and set public hearing for August 8, 2023.

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

There being six (6) ayes, and no (0) nays, Ordinance 2023-10 on was approved on introduction, authorized publication as required by law, and public hearing set for August 8, 2023.

7. One Mile Road – Truck/Pedestrian Traffic Mitigation

Mayor Mironov asked this item be listed on the next meeting agenda.

8. East Windsor Police Athletic League, Executive Director Status

Mayor Mironov asked this item be listed on the next meeting agenda, and asked for more information on the process.

9. New Jersey Board of Public Utilities Community Energy Planning Grant

The Assistant Manager will contact the Planner to see if he has any experience with this grant.

10. Senior Center Expansion Project: Full Accounting of Expenditures, Unexpended Capital Authorization, Receipt of Grants (Mercer at Play, New Jersey Department of Community Affairs)

Finance provided a full accounting of funds for the Senior Center expansion. Mayor Mironov asked what funds were appropriated but not expended and if all grant monies were received.

11. Union Transportation Trail Extension

- A. New Jersey Department of Transportation Grants Extensions/Status
- B. Delaware Valley Regional Planning Commission Grant Funding

Mayor and Council directed staff to send a letter to DVRPC regarding the project funding and to continue to reach out to NJDEP regarding permit status. Council asked if the NJDOT signed off on the grant extensions.

12. Mercer County American Rescue Plan Grant (\$74,000)

Mayor and Council asked staff to provide suggestions for senior center activities this could be used for to offset the 2023 budget.

MATTERS BY PUBLIC:

No one from the public spoke.

ADJOURNMENT:

Next Meeting: August 8, 2023

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor