

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, August 8, 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, August 8, 2023 at the East Windsor Municipal Building.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on February 1, 2023 in the annual meeting notice. On August 4, 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 New Jersey Assemblyman Anthony Verrelli.

ROLL CALL:

Present were Council Members Denise Daniels, Anthony Katawick, 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:

Reverend Stephen E. Bryant, Sr. of St. James AME Church – 10th Anniversary (August 6, 2023)

Senior Citizen Day (August 21, 2023)

Oath of Office for Council Member Johnnie Whittington

Mayor Mironov administered the Oath of Office for newly appointed Council Member Johnnie Whittington.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for boards and commissions.

PUBLIC FORUM:

No one from the public spoke.

MINUTES:

February 22, 2022 Minutes

Mayor Mironov indicated a few typographical and grammatical errors that needed to be corrected in the minutes.

It was MOVED by Lippman, SECONDED by Russell to approve the February 22, 2022 minutes with the revisions.

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

Nays – None

Abstentions – Katawick, Whittington

There being five (5) ayes, no (0) nays, and two (2) abstentions, the February 22, 2022 minutes were approved with revisions.

March 8, 2022

Mayor Mironov indicated information needed to be added regarding Reports by Council.

It was MOVED by Zoller, SECONDED by Daniels to approve the March 8, 2022 minutes with the revisions.

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

Nays – None

Abstentions – Katawick, Whittington

There being five (5) ayes, no (0) nays, and two (2) abstentions, the March 8, 2022 minutes were approved with revisions.

All remaining minutes were rescheduled.

ORDINANCE – PUBLIC HEARING:

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.

Mayor Mironov stated Ordinance 2023-10 was introduced on July 25 and the public hearing was set for this evening. She opened the public hearing on Ordinance 2023-10. There being no comment by the public, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Russell to adopt Ordinance 2023-10 and authorize publication as required by law.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Ordinance 2023-10 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

There were no Ordinances for Introduction.

RESOLUTIONS:

Resolution R2023-127 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 New
Jersey Department of Community Affairs Small Cities
Development Block Grant

RESOLUTION R2023-127 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 \$195,551.00 which item is now available as revenue for 2023 New Jersey Department of Community Affairs Small Cities Community Development Block Grant, for Housing Rehabilitation program
2. A like sum of \$195,551.00 is hereby appropriated under the caption of 2023 New Jersey Department of Community Affairs Small Cities Community Development Block Grant, for Housing Rehabilitation Program.

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

Mayor Mironov requested the Resolution be revised in the fifth and sixth paragraphs to include *for Housing Rehabilitation Program*.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2023-127 with revisions.

ROLL CALL: Ayes – Daniels, Katawick, Lippman, Russell, Zoller, Mironov

Nays – None

Abstentions – Whittington

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-127 was approved with revisions.

Resolution R2023-128 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 National
Night Out Donation – Aurobindo Pharma USA

RESOLUTION R2023-128
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 \$5,000.00 which item is now available as revenue for 2023 National Night Out Donation – Aurobindo Pharma USA.
2. A like sum of \$5,000.00 is hereby appropriated under the caption of 2023 National Night Out Donation – Aurobindo Pharma USA.

It was MOVED by Katawick, SECONDED by Russell to approve Resolution R2023-128.

ROLL CALL: Ayes – Daniels, Katawick, Lippman, Russell, Zoller, Mironov

Nays – None

Abstentions – Whittington

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-128 was approved.

Resolution R2023-129 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 National
Night Out Donation – CentraState Healthcare System

RESOLUTION R2023-129
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 \$250.00 which item is now available as revenue for 2023 National Night Out Donation – CentraState Healthcare System.
2. A like sum of \$250.00 is hereby appropriated under the caption of 2023 National Night Out Donation – CentraState Healthcare System.

It was MOVED by Russell, SECONDED by Lippman to approve Resolution R2023-129.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-129 was approved.

Resolution R2023-130 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 National
Night Out Donation – Check Exchange Services, LLC

**RESOLUTION R2023-130
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 \$250.00 which item is now available as revenue for 2023 National Night Out Donation – Check Exchange Services, LLC.
2. A like sum of \$250.00 is hereby appropriated under the caption of 2023 National Night Out Donation – Check Exchange Services, LLC.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2023-130.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-130 was approved.

Resolution R2023-131 Chapter 159 – Amending the 2023 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2023 National
Night Out Donation – LSC Mechanical

**RESOLUTION R2023-131
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 \$500.00 which item is now available as revenue for 2023 National Night Out Donation – LSC Mechanical.
2. A like sum of \$500.00 is hereby appropriated under the caption of 2023 National Night Out Donation – LSC Mechanical.

It was **MOVED** by Daniels, **SECONDED** by Russell to approve Resolution R2023-131.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-131 was approved.

Resolution R2023-132 Approval of Amended Professional Services Agreement for
Financial Auditing Services with Samuel Klein and Company, LLP

RESOLUTION R2023-132
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, on April 5, 2022, by Resolution R2022-050, the Township Council, after soliciting proposals and in accordance with the Local Public Contracts Law as defined in N.J.S.A. 40A:11-5(1)(a)(i), approved a professional services agreement with Nisivoccia and Company, LLP for Auditing and Accounting Services for the period of January 1, 2022 through December 31, 2022 in the amount of \$39,959; and

WHEREAS, it is the desire of the Township Council to rescind Resolution R2022-050 and the appointment of Nisivoccia and Company, LLP for Auditing and Accounting Services for 2022; and

WHEREAS, on May 23, 2023, by Resolution R2023-075, the Township Council, after soliciting proposals and in accordance with the Local Public Contracts Law as defined in N.J.S.A. 40A:11-5(1)(a)(i), approved a professional services agreement with Samuel Klein & Company, LLP for Auditing and Accounting Services for the period of January 1, 2023 through December 31, 2023 in the amount of \$43,850; and

WHEREAS, the Township needs to amend the Agreement with Samuel Klein & Company, LLP to include Auditing and Accounting services for the audit period January 1, 2022 through December 31, 2022 and to increase the contract amount by \$43,850 to \$87,700; and

WHEREAS, the amount of compensation authorized under this Amendment to the Agreement for professional services with Samuel Klein & Company, LLP is \$43,850 for a total contract amount not to exceed \$87,700 and funds for the increased amount are available in Current Account No. 3-01-55-002 entitled "Accounts Payable" in the amount of \$34,350, and in Current Account No. 2-01-20-135-203-249 entitled "Current Fund – Audit & Accounting" in the amount of \$9,500, as evidenced by the Chief Financial Officer's Certification No. B2023-026.

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 Amendment to the Agreement between the Township of East Windsor and Samuel Klein & Company, LLP 36 West Main Street, Suite 303, Freehold, New Jersey 07728, for the audit period of January 1, 2022 through December 31, 2022, is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Amendment to the Agreement with Samuel Klein & Company, LLP.
3. This Contract is awarded without competitive bidding as a "Professional Service" 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 person(s) authorized by law to practice a recognized profession that is regulated 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.

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

Mayor Mironov requested the Resolution be revised by removing the last two pages of the attachment. She also requested the Finance certification paragraph be revised, as the certification should only be for the additional funds. The attached Amendment to Agreement should also be revised to reflect the Resolution more accurately. Mayor Mironov asked for clarification as to the price difference between the 2022 and 2023 audit services.

It was **MOVED** by Lippman, **SECONDED** by Zoller to approve Resolution R2023-132 with revisions.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-132 was approved with revisions.

Resolution R2023-133 Approval of Amended Professional Services Agreement for Affordable Housing Administrative Agent with Community Grants, Planning and Housing

**RESOLUTION R2023-133
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on January 24, 2023 by Resolution R2023-017, the Township Council, after soliciting proposals and in accordance with the Local Public Contracts Law as defined in N.J.S.A. 40A:11-5(1)(a)(i), approved a professional services agreement with Community Grants, Planning and Housing for Affordable Housing Administrative Agent Services in the amount of \$11,250; and

WHEREAS, the Township needs to amend the Agreement to include additional fees for Administrative Agent services that were included in the original proposal by Community Grants, Planning & Housing, dated November 17, 2022, that were not included in Resolution R2023-017, in the amount of \$2,300, increasing the contract from \$11,250 to \$13,550; and

WHEREAS, the Township needs to amend the Agreement to include additional fees for Housing Rehabilitation Program Administrative services in the amount of \$42,000, increasing the contract amount from \$13,550 to \$55,550; and

WHEREAS, the amount of compensation authorized under this Amendment to the Agreement for professional services with Community Grants, Planning and Housing is \$44,300 for a total contract amount not to exceed \$55,550 and for increased amount funds in the amount of \$44,300 are available in the Affordable Housing Fund Account No. A-22-56-852-852 entitled "Affordable Housing Trust," as evidenced by the Chief Financial Officer's Certification A2023-133.

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 Amendment to the Agreement between the Township of East Windsor and Community Grants, Planning and Housing, 1249 South River Road, Cranbury NJ 08512, is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Amendment to the Agreement with Community Grants, Planning and Housing.
3. This Contract is awarded without competitive bidding as a "Professional Service" 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 person(s) authorized by law to practice a recognized profession that is regulated 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.

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

Mayor Mironov requested the Finance certification paragraph be revised, as the certification should only be for the additional funds. The Resolution should also have information as to why the additional administrative agent fees were not included in the original contract award. The attached Amendment to Agreement should also be revised to reflect the Resolution more accurately. Mayor Mironov asked the Township Attorney to advise Council as to how CGP&H will administer the Small Cities grant for the Housing Rehabilitation program and how the grant funds will be spent down.

It was MOVED by Lippman, SECONDED by Daniels to conditionally approve Resolution R2023-133 with revisions and subject to information as to how the grant funds are spent down.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-133 was conditionally approved with revisions and subject to information as to how the grant funds are spent down.

Resolution R2023-134 Approval of Professional Services Agreement for Medical Director with Stephen Vetrano, DO

RESOLUTION R2023-134
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, as per N.J.S.A. 8:52-4.1, the Township is in need of a Medical Director to oversee the Township's Health Department COVID-19 clinics; and

WHEREAS, Stephen J. Vetrano as a qualified physician for nearly 25 years and is Board Certified in Emergency Medicine working for numerous municipalities as Medical Director including East Windsor Rescue Squad District I and St. Francis Medical Center; 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, the maximum amount of the contract is \$500 and funds are available in Current Account No. 3-01-27-330-601-249 as evidenced by the Chief Financial Officer's Certification No. B2023-025.

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. Stephen J. Vetrano is hereby appointed as the Medical Director for the Township of East Windsor.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement with Stephen J. Vetrano, DO of Physicians Practice Enhancement LLC Emergency Medicine, 601 Hamilton Avenue, Trenton, NJ 08629, in an amount not to exceed \$500.00, for the term of October 1, 2023 through September 30, 2024.
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.
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.

It was MOVED by Katawick, SECONDED by Zoller to approve Resolution R2023-134.

ROLL CALL: Ayes – Daniels, Katawick, Lippman, Russell, Zoller, Mironov

Nays – None

Abstentions – Whittington

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-134 was approved.

Resolution R2023-135 Authorizing New Jersey Department of Environmental Protection Treatment Works Approval Permit Application for The Place at East Windsor at 300-C Princeton Hightstown Road

**RESOLUTION R2023-135
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on January 23, 2018, by Resolution R2018-028, the East Windsor Township Council approved a Memorandum of Understanding with Community Investment Strategies, Inc. for the development of this municipally sponsored affordable housing development as part of the Township Housing Element and Fair Share Plan; and

WHEREAS, Community Investment Strategies, Inc. the developers of East Windsor Township owned property located at 300-C Princeton Hightstown Road, East Windsor, New Jersey, Block 5, Lot 2.02 as shown on the official tax map of the Township of East Windsor, by Resolution No. 2019-12, adopted on April 15, 2019 by the Township Planning Board, received Preliminary and Final Major Site Plan approval for a 100% affordable 56 unit residential development called The Place at East Windsor; and

WHEREAS, Community Investment Strategies, Inc., has applied to the East Windsor Municipal Utilities Authority for the necessary approvals for this project, and as part of that approvals process, the developer must apply for a Treatment Works Approval Permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the permit application forms require review and signature by the Township as the property owner.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Treatment Works Approval Application Form as required by the New Jersey Department of Environmental Protection.

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

Mayor Mironov requested the Resolution be revised to include information regarding the Planning Board approval for the project, as well as previous Council action.

It was **MOVED** by Zoller, **SECONDED** by Katawick to approve Resolution R2023-135 with revisions.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-135 was approved with revisions.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF:

Mr. Zoller reported the Planning Board met on August 7 and swore in new Class II Member Michael Trivisonno and Class IV Member Joseph Miczak. The Board heard testimony on a proposed project by QTS Data Centers for the facility on Princeton-Hightstown Road. Mr. Zoller also reported the Environmental Commission participated in National Night Out on August 1 and gave away 200 Township reusable shopping bags and flyers regarding recycling programs and volunteer opportunities.

Mayor Mironov reported National Night Out was held on August 1 and thanked Public Works, the Police Department, and all volunteers and businesses who participated in the event.

CORRESPONDENCE:

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

APPOINTMENTS:

Mayor Mironov requested the Clerk's Office provide a listing of any individuals who were interviewed for volunteer positions that were not yet appointed to a board or committee.

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 if the invoices on the Current 2023 bills list under Data Processing were additional payments. Mr. Brady stated they were, and he would be following up for insurance reimbursement on these invoices. She also asked for information on the invoices on page seven under Other Contractual Services – Police Building.

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

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

There being six (6) ayes, no (0) nays, and one (1) abstention, the various presented Bill lists were approved with the requested clarifications.

MATTERS BY COUNCIL:

Mayor Mironov reported the following correspondence had been received: a memo from Engineering regarding a road closure for 330 Wyckoff Mills Road; a report of disbursements and receipts from the Court; a memo dated June 29 regarding the closing of Dutch Neck Road for the East Windsor Municipal Utilities Authority; a memo from the Tax Collector regarding the status of the tax bills, as the Township is still waiting for Mercer County to adopt their budget and certify their tax rate; a memo from the Recreation Department dated July 26 regarding an open mic night event.

Mayor Mironov stated the September 11 memorial service would be held on Monday, September 11 at 5 PM and requested an update on the program from the Police Chief. She also stated a Passport Service Day with the County Clerk would be upcoming and a date would be determined shortly.

Mayor Mironov requested information regarding interfund transfers and if any grants are remaining. Mayor Mironov asked for an update on the Stockton Street paving and curbing project and the issue that was previously raised about parking on Stockton Street. She requested staff evaluate any deadlines and provide a proposed budget for the \$74,000 in American Rescue Plan funds incoming from Mercer County. She also stated she returned memos to Finance regarding several Chapter 159 requests for the capital budget and tonnage grants.

Mayor Mironov stated the Request for Proposals for Engineering Services for both Beechcroft Drive and Greenbrook Drive had been posted. She requested the awarding Resolutions be listed on the September 12 agenda.

Mayor Mironov stated she has continued to be in contact with JCP&L regarding the ongoing outage issues in town.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Township Senior Center Air Conditioning Status and Funding Update

Mayor Mironov requested an update on the status of the equipment and funding. Mr. Brady stated the contractor is working on getting the units in order to complete the installation. The contractor has also been in contact with JCP&L to get the project qualified for funding.

2. Township Park and Recreation Improvements

a. Anker Park

- i. New Playground Equipment Installation Status/Date/Funding
- ii. Walking Pathway Restoration Status
- iii. Rubber Play Surface

Resolution R2023-XXX Action on Purchase of Play Surface for Anker Park

Mr. Brady stated the new play equipment had arrived, but due to the recent rainy conditions, the ground is too wet to complete the installation at this time. Once the weather has been clear for three days, the installation will take place. Public Works has continued to work on the pathway restoration project, and should be completed by the end of next week.

Mayor and Council discussed the possible rubberized play surface for Anker Park after reviewing the additional information provided by Public Works. Mr. Lippman asked for more information as to how the surface is installed. Ms. Daniels asked if this product has any issues with color fading, and if certain color options have a better longevity than others. Mayor Mironov requested staff reach out to other municipalities who have this rubberized play surface and get their input on their experience with the product. Mr. Zoller stated that quote from the vendor mentions some issues in high temperatures and asked for more information.

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

Mr. Brady stated that he is awaiting an updated quote for the repair of the tennis courts in Westfield Park. Mayor Mironov stated the bridge in Wiltshire Park is closed for repairs and asked for a status update, as that should be repaired as soon as possible.

3. New Jersey Unclaimed Property

Resolution R2023-136 Authorizing Acceptance of Unclaimed Property from State of New Jersey Unclaimed Property Administration

**RESOLUTION R2023-136
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the State of New Jersey Unclaimed Property Administration (UPA) is in possession of eleven pieces of unclaimed property belonging to the Township of East Windsor; and

WHEREAS, Mayor and Council desire to reclaim these unclaimed properties from the UPA for the benefit of the Township and its residents; and

WHEREAS, the UPA does not disclose the nature or characteristics of unclaimed property prior to unclaimed property release authorization, but only identifies the unclaimed properties with the following property identification numbers: 32741317, 20617975, 22181302, 22181310, 28202664, 19791677, 19846710, 22309574, 20756384, 31982964, 16856907; and

WHEREAS, the UPA will only authorize release of the unclaimed properties to the Township if Mayor and Council pass a Resolution naming and authorizing a Township employee to act on the Township's behalf to reclaim these properties, the authorized individual submits an electronic claim for each of the properties on UPA's website, and the authorized employee provides identification and the Resolution to the UPA upon request to confirm identity and authorization.

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 authorizes Omar Buckingham, an employee of the Township of East Windsor, to submit electronic claims for each of the eleven unclaimed properties identified above and currently in the UPA's care for the purpose of reclaiming and returning these properties to the Township of East Windsor.

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

Mr. Lippman asked for more information as to what these properties are. Mayor Mironov stated that until Council authorizes and employee as the designee by Resolution to reclaim the properties, specific information as to what they are isn't available, but generally they may be unclaimed funds.

Mayor Mironov requested the Resolution be revised to reflect the Assistant Township Manager Omar Buckingham as the Township's designee.

It was **MOVED** by Russell, **SECONDED** by Katawick to approve Resolution R2023-136 with revisions.

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

There being six (6) ayes, no (0) nays, and one (1) abstentions, Resolution R2023-136 was approved with revisions.

4. 2022/2023 Municipal Capital Budget

Mayor and Council reviewed the information provided by the Township Manager as to the proposed Capital Budget for 2022 and 2023. Mayor Mironov requested an account run for the Annual Road Program to see the amounts allocated for the Greenbrook Drive project. She also requested Public Works provide more information on the proposed water treatment system for the Police/Court building as to how this will avoid further costs and if the system was examined for any other issues.

Under Public Works, information was requested for the basis of the cost of the proposed seven cubic yard dump truck and mechanic service truck.

Under Police Department, information regarding the Animal Control Officer's vehicle be provided including lead time, current vehicle issues, and how this may factor in shared service agreements for animal control services. Regarding the body worn cameras, Mayor Mironov stated that these were mandated by the State and therefor the State should pay for this equipment. She requested a thorough search for any grants and communications with the State, the League of Municipalities, and other towns for funding options before expending these funds. Regarding the traffic survey device, additional information was requested regarding the usage of the equipment and justification for the proposed purchase.

Under General Administration, information was requested regarding the original cost for the Mitchell Humphries program used by the Construction Department, and how transitioning between the two systems will work, what is the life of the system and will there be any regular annual budget costs added for the new system. For the email migration project, Mayor and Council requested the actual cost that was expended. For the replacement copiers, it was requested to use Health grant funding if possible, and what is the breakdown of costs between the two machines. Several grants need to be added to the Capital Budget, including a \$950,000 award for Beechcroft Drive, the Airport Road Bikeway Connector grant, and the \$1.5 million dollar grant award for park improvements.

Mayor Mironov requested the Ordinance be listed for introduction on the September 12 agenda.

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

Mayor Mironov requested this item be listed on the next agenda, and asked for information as to how the Township receives the funds, what can the funds be used for, and what are the reporting requirements.

6. East Windsor Police Athletic League Executive Director, Status

Mr. Brady stated he would provide an update on this subject.

MATTERS BY PUBLIC:

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Craig Pollins, 3 Lexington Court, spoke on the ongoing JCP&L outages. Jim Williams, 45 Moorsgate Circle, also spoke on the JCP&L outages.

Linda Caffrey, 60 One Mile Road, thanked Council for addressing the parks. She raised the issue of parking along Stockton Street.

James Cole, 357 Bolton Road, spoke regarding the air conditioning and wi-fi in the Senior Center.

ADJOURNMENT:

Next Meeting: August 22, 2023

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor