

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, January 16, 2024

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 5:39 p.m. on Tuesday, January 16, 2024, at the East Windsor Municipal Building.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on January 12, 2024, and 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 Assistant Township Manager Buckingham

ROLL CALL:

Present were Council Members Denise Daniels, Marc Lippman, David Russell, Johnnie Whittington, John Zoller and Mayor Janice S. Mironov. Council Member Anthony Katawick was absent. Also, present were Township Manager Joy Tozzi and Municipal Clerk Allison Quigley

PRESENTATIONS & PROCLAMATIONS:

Human Trafficking Awareness Month – January 2024

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Adriana Cordal was interviewed and expressed interest in serving on the Commission on Aging or the Health Advisory Board.

PUBLIC FORUM:

No one spoke during the public forum.

MINUTES:

The minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

There were no Ordinances for Public Hearing

ORDINANCE – INTRODUCTION:

There were no Ordinances for Introduction

RESOLUTIONS:

Resolution R2024-009 Approving Purchase of Software Maintenance Updates with
Edmunds Associates, Inc. for Finance Department

**RESOLUTION R2024-009
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase a software maintenance system which includes enhancements and upgrades of the Edmunds payroll, finance and tax collection programs for the Finance Department; and

WHEREAS, Edmunds & Associates Inc. is the sole provider and has not authorized maintenance of their software by any other vendor; 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 Township Council has reviewed the Finance Director's recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$16,022.96 and funds are available in the 2024 Municipal Operating Temporary Budget Account No. 4-01-20-140-140-245 entitled "Edmunds and Associates Data Processing", pending the adoption of the 2024 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2024-001.

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Edmunds & Associates, Inc., Attn: Accounts Receivable, 301A Tilton Road, Northfield, New Jersey 08225 for the purchase of 2024 Software Maintenance System for the East Windsor Township Finance Department, in an amount not to exceed \$16,022.96, all in accordance with the attached quote.

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

Mayor Mironov noted the year in the last paragraph had an error and should be corrected to 2024.

It was MOVED by Lippman, SECONDED by Russell to approve Resolution R2024-009 with revisions.

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

There being six (6) ayes and no (0) nays, Resolution R2024-009 was approved with revisions.

Resolution R2024-010 Authorizing Renewal of Agreement between East Windsor Township and Everbridge Inc. for Nixle Emergency Communications System Services

**RESOLUTION R2024-010
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on November 20, 2018, by Resolution R2018-186, the East Windsor Township Council approved a three year contract with Everbridge Inc., for an initial one year term and option for two one-year renewal terms with the contract beginning December 28, 2019 for the NIXLE Emergency Communications System, for a contract price not to exceed \$15,000 over three years; and

WHEREAS, on January 14, 2020, by Resolution R2020-016, the Township Council approved the option for year two renewal term, December 28, 2019 through December 28, 2020, in an amount not to exceed \$5,000.00; and

WHEREAS, on February 9, 2021, by Resolution R2021-033, the Township Council approved the option for year three renewal term, December 28, 2020 through December 28, 2021, in an amount not to exceed \$5,000.00; and

WHEREAS, on December 21, 2021, by Resolution R2021-204, the Township Council approved the option for year four renewal term, December 28, 2021 through December 27, 2022, in an amount not to exceed \$5,000.00; and

WHEREAS, on January 24, 2023, by Resolution R2023-021, the Township Council approved the option for year five renewal term, December 28, 2022 through December 27, 2023, in an amount not to exceed \$5,000.00; and

WHEREAS, the existing agreement allows for the Township to exercise the option to extend these services for additional years as desired, in a predetermined amount not to exceed \$5,000 per year; and

WHEREAS, the Township Council has reviewed the recommendation of the Chief of Police for year five renewal, with the option for a one-year renewal term for year six; and

WHEREAS, the maximum amount of the contract for year six is \$5,000.00 and the Chief Financial Officer has determined that sufficient funds are available in the Current Account No. 4-01-25-250-308-254 entitled "Communication Contracts", as per the temporary budget and pending the adoption of the 2024 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2024-002.

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 Nixle Emergency Communications System with Everbridge, Inc., 155 N. Lake Avenue, Suite 900, Pasadena, CA 91101, is hereby renewed for one additional year, December 28, 2023 through December 27, 2024, in an amount not to exceed \$5,000.00.
2. 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 renewal of the contract, and that the resolution and renewal are on file and available for public inspection in the office of the Municipal Clerk.

It was MOVED by Zoller, SECONDED by Whittington to approve Resolution R2024-010.

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

There being six (6) ayes and no (0) nays, Resolution R2024-010 was approved.

Resolution R2024-011 Authorizing Cancellation of Small Tax Balances

**RESOLUTION R2024-011
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Tax Collector has certified that small balances exist on various properties;
and

WHEREAS, these balances should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the Tax Collector is hereby authorized and directed to cancel balances as detailed on the attached Tax Collector's list, entitled "East Windsor Township Adjustment Batch Verification Listing", dated January 11, 2024, consisting of 9 pages and certified by the Tax Collector, to Cancel Small Balances pursuant to N.J.S.A. 40A:5-17.1.

It was MOVED by Daniels, SECONDED by Russell to approve Resolution R2024-011.

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

There being six (6) ayes and no (0) nays, Resolution R2024-011 was approved.

Resolution R2024-012 Approval of Award of Contract for Bond Counsel Services with
McManimon, Scotland & Bauman

**RESOLUTION R2024-012
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and issuance of bonds and notes for the Township, including the review of such procedures as the rendering of legal opinions acceptable to the financial community, for the term of January 1, 2024 through December 31, 2024; and

WHEREAS, the Township posted/solicited proposals on October 12, 2023 and received two proposals for Township Bond Counsel Services by the receipt date of November 16, 2023; and

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

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

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

WHEREAS, the Township Council has reviewed the Township Manager's recommendation.

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

1. The attached Agreement for Bond Counsel Services with McManimon, Scotland and Baumann, 75 Livingston Avenue, Roseland, New Jersey, 07068, is hereby approved for a term of January 1, 2024 to December 31, 2024.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.
3. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the Contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
4. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

It was MOVED by Lippman, SECONDED by Daniels to approve Resolution R2024-012.

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

There being six (6) ayes and no (0) nays, Resolution R2024-012 was approved.

Resolution R2024-013 Approval of Professional Services Agreement for Special Tax
Counsel Services with James L. Esposito of Inglesino Webster
Wyciskala Taylor, LLC

The Resolution was held.

Resolution R2024-014 Appointing Safety Delegate and Alternate Safety Delegate to the
MidJersey Municipal Joint Insurance Fund

**RESOLUTION R2024-014
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that pursuant to the requirements of the Mid Jersey Municipal Joint Insurance Fund, that Chief of Police Jason Hart is hereby designated as Safety Delegate and Lieutenant Ryan Mattek is hereby authorized as Alternate Safety Delegate to the Mid Jersey Municipal Joint Insurance Fund and are hereby authorized.

It was MOVED by Zoller, SECONDED by Whittington to approve Resolution R2024-014.

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

There being six (6) ayes and no (0) nays, Resolution R2024-014 was approved.

Resolution R2024-015 Approving Filing of 2023 Tree City USA Application for
Recertification

**RESOLUTION R2024-015
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters, the USDA Forest Service, the U.S. Conference of Mayors and the National League of Cities is accepting applications for 2023 TREE CITY USA; and

WHEREAS, East Windsor Township desires to be recertified as a TREE CITY USA for 2023; and

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

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

1. The attached 2023 TREE CITY USA Application for recertification is hereby approved.
2. The Mayor is hereby authorized and directed to sign the attached 2023 TREE CITY USA Application for recertification.

It was MOVED by Zoller, SECONDED by Russell to approve Resolution R2024-015.

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

There being six (6) ayes and no (0) nays, Resolution R2024-015 was approved.

Resolution R2024-016 Approval of Shared Services Agreement with Mercer County for
Grant Funding for FY24 (July 1, 2023 to June 30, 2024) for East
Windsor Municipal Alliance for the Prevention of Substance
Abuse

**RESOLUTION R2024-016
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Municipal Alliance for the Prevention of Substance Abuse has been awarded a grant by the Mercer County Department of Human Services, Division of Drug and Alcohol, for FY24 (July 1, 2023 through June 30, 2024) in the amount of \$7,381.00; and

WHEREAS, in order to obtain such grant, it is necessary that the Mayor and Township Council approve the Contract with the County of Mercer.

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 “Shared Services Agreement between East Windsor Township and County of Mercer” for the East Windsor Municipal Alliance Program, for FY2024, for the term of July 1, 2023 through June 30, 2024, in the amount of \$7,381.00, is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.
3. The East Windsor Municipal Alliance for the Prevention of Substance Abuse and the Township of East Windsor agree to perform services described in the program specifications in the manner and upon the terms specified and to complete and file the required programmatic reports.

It was MOVED by Russell, SECONDED by Lippman to approve Resolution R2024-016.

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

There being six (6) ayes and no (0) nays, Resolution R2024-016 was approved.

Resolution R2024-017 Approval of Complete and Green Streets for All Policy

**RESOLUTION R2024-017
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

RESOLUTION ADOPTING COMPLETE AND GREEN STREETS POLICY

WHEREAS, New Jersey is federally designated as a Pedestrian and Bicycle Safety Focus State due to high numbers of pedestrian/bicycle-involved fatalities, and New Jersey’s pedestrian fatality rate continues to significantly exceed the national average; and

WHEREAS, safe, convenient, accessible, equitable, healthy and environmentally and economically beneficial transportation for all users is a priority of East Windsor Township; and

WHEREAS, “Complete and Green Streets” policies are a means to provide a comprehensive, integrated, connected multi-modal network of transportation options through planning, design, construction, maintenance and operation of new and retrofit transportation facilities along the entire right-of-way for all roadway users of all ages and abilities; and

WHEREAS, “Complete and Green Streets” policies allow for safe, accessible and convenient travel, reducing serious injuries and fatalities for all users of the roadway, which includes motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, delivery trucks and movers of commercial goods, persons with disabilities, older adults, and Priority Communities; and

WHEREAS, “Complete and Green Streets” policies allow for multiple modes of travel, aside from personal automobiles, so that those who are unable to drive, who cannot afford a car or choose to reduce their car usage can travel by transit, by bicycle or by walking safely; and

WHEREAS, “Complete and Green Streets” policies support the goals of East Windsor Township master plan and component elements; and

WHEREAS, “Complete and Green Streets” policies incorporate sustainable Green Streets design elements, such as green stormwater infrastructure, traffic calming treatments, shade trees, and the use of recycled materials, protect and create a healthier natural and social environment, improve air and water quality, and reduce localized flooding; and

WHEREAS, “Complete and Green Streets” policies implementation enhances access to local businesses, encourages reinvestment, increases property values and employment, and stimulates private investment, especially in retail districts, downtowns and tourist areas; and

WHEREAS, “Complete and Green Streets” policies encourage an active lifestyle through increased physical activity, social connectivity, and a sense of community belonging, thereby lowering risk of obesity, reducing chronic disease, improving mental health, and promoting wellness; and

WHEREAS, a balanced and flexible transportation system where all people can easily and safely walk and bicycle to everyday destinations – such as schools, shops, restaurants, businesses, parks, transit and jobs – enhances neighborhood economic vitality and livability; and

WHEREAS, low- and moderate-income areas, whether in rural, urban, or suburban communities, are typically the least safe for pedestrians and bicyclist, especially for children walking and biking to school due to long-standing infrastructure disparities and higher concentration of streets with faster-moving and higher-volume traffic; and

WHEREAS, “Complete and Green Streets” policy applies to new, reconstruction, retrofit, and resurfacing projects, including design, planning, construction, maintenance and operations, for the entire right-of-way.

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 “Complete and Green Streets” Policy is hereby approved.
2. A copy of this Resolution will be provided to all Township departments within thirty days of the adoption of this Resolution.

It was MOVED by Zoller, SECONDED by Whittington to approve Resolution R2024-017.

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

There being six (6) ayes and no (0) nays, Resolution R2024-017 was approved.

APPLICATIONS:

None

REPORTS BY COUNCIL AND STAFF

Mr. Zoller noted that the Environmental Commission met on December 20, 2023, where there were discussions on Commercial Forestry Management Plans and Sustainable Jersey.

Ms. Daniels advised that the Commission on Aging met on December 21, 2023, and held a holiday party. Senior discounts are available at local businesses.

Mr. Russell noted that the Economic Development Committee met on January 4, 2024, where there was a “Taste of East Windsor” event and a business card exchange. Mayor Mironov advised that the Business Awards are coming soon, and more information will be available in the coming months.

Mr. Whittington noted that the Recreation Commission met on January 10, 2024, to plan activities for 2024. There is an easter egg hunt scheduled for March, an acoustic night, and after school programs. Mayor Mironov asked that the easter egg hunt flyer be distributed to her and Council for comments.

CORRESPONDENCE:

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

APPOINTMENTS:

None

APPROVAL OF BILLS:

None

MATTERS BY COUNCIL:

Mr. Zoller stated that the new signs on Brooktree Road look great!

Mayor Mironov announced that there is a stream clean-up on April 20th at Etra Lake Park.

Mr. Zoller noted that the striping on Town Center Road looks worn.

Mayor Mironov indicated that she still has the same questions on the storm reserve.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2023 Kelly Bill Reimbursements

Mayor Mironov had information distributed but upon further review it was determined that one was really looking at 2022 amounts verse 2023 amounts. Mr. Lippman advised that he is okay to move forward and for letters to be sent out. All Members of Council agreed. Mayor and Council directed Public Works to mail out the letters and Kelly Bill agreements.

2. New Jersey Department of Community Affairs Local Government Services Recreation Grant, \$75,0000 (Anker Park)

A memo was received from Assistant Township Manager Buckingham with additional information on this subject. Mayor Mironov advised how unhappy she was with how the vendor handled the project, the park was closed during peak season, the time it took, and broken parts. Mayor Mironov asked that the Department of Public Works convey this to the vendor and identify vendors for future use if the vendor doesn't apologize. There have been discussions on the play surface all while waiting on information so the Township can move forward. The equipment cost is \$195,000.00 and the Township would like to know if they can pay half of that and submit for reimbursement with the New Jersey Department of Community Affairs. Assistant Township Manager Buckingham will find out and advise.

MATTERS BY PUBLIC:

None

ADJOURNMENT:

Next Meeting: January 30, 2024

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor