

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, November 12, 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 5:41 p.m. on Tuesday, November 12, 2024, at the East Windsor Municipal Building.

VERIFICATION:

Municipal Clerk Allison Quigley certified that the meeting was noticed on January 28, 2024, in the Annual Meeting Notice. On November 8, 2024, 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 Council Member John Zoller.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS

There were no presentations or proclamations.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for boards or commissions.

PUBLIC FORUM:

No one spoke during the public forum.

MINUTES:

It was MOVED by Russell, SECONDED by Zoller to approve the revised August 13, 2024, minutes from last meeting.

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

Nays – None

There being six (6) ayes and no (0) nays, the revised August 13, 2024, minutes were approved

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

ORDINANCE – PUBLIC HEARING:

Ordinance 2024-10 An Ordinance Amending Chapter XX, “Zoning,” HC Highway Commercial Zone District and the CR Corridor Revitalization Zone District Floor Area Ratio Regulation, of the Revised General Ordinances of the Township of East Windsor

ORDINANCE NO. 2024-10

TOWNSHIP OF EAST WINDSOR

COUNTY OF MERCER

AN ORDINANCE AMENDING CHAPTER XX, “ZONING,”

HC HIGHWAY COMMERCIAL ZONE DISTRICT AND

CR CORRIDOR REVITALIZATION ZONE DISTRICT

**FLOOR AREA RATIO REGULATION, OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR**

WHEREAS, the Township of East Windsor desires to periodically update the zoning regulations to address and maintain the goals of the zone plan and Master Plan of the Township; and

WHEREAS, the Township of East Windsor seeks to allow upon the sole review of the Planning Board to permit minor adjustments to the floor area ratio requirements to incentivize the use of green development site design or building improvements pertaining to the HC Highway Commercial Zone and the CR Commercial Revitalization Zone, where references to the HC Zone are provided at Sections 20-25.4 and 20-25.5;

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, as follows:

SECTION 1. Chapter 20, “Zoning,” of the General Ordinances of East Windsor Township is amended and supplemented at Section 20-16.5 *Other Requirements*, by adding a new subparagraph e. to read as follows: (deleted sections are noted by ~~striketroughs~~, new sections are underlined)

e. Green building F.A.R. development bonus incentives.

1. For applications within the HC Highway Commercial Zone and the CR Corridor Revitalization Zone only, the Planning Board may consider awarding a green building F.A.R. development bonus for use of a green development site design or green building

improvements, to include such examples as green roofs, cool roof systems, roof mounted solar systems, pervious paving, EV charging stations (in excess of State minimums), bike storage infrastructure, bike paths, stormwater infiltration systems above minimum required standards, improved biodiversity of open space and buffer area enhancements.

2. Any green building F.A.R. development bonus shall be at the sole discretion of the Planning Board and shall not be subject to challenge or appeal by the Planning Board applicant or any other person.
3. The maximum green building F.A.R. development bonus shall be up to 2.5 percent above the F.A.R. maximum percentage permitted in the zone.
4. The green building F.A.R. development bonuses authorized in this section shall not supersede green building F.A.R. development bonuses provided in any other section of this chapter, or in any redevelopment plan adopted by the Township.
5. The provision of an LEED certification or equivalent or the provision of green building strategies shall not obligate the Planning Board to approve a green building F.A.R. development bonus. Green building F.A.R. development bonuses authorized in this section are intended to be the maximum allowed for any application or project which includes green building component(s) and shall not be combined to exceed 2.5 percent above the F.A.R. maximum percentage permitted in the zone. When a green building F.A.R. development bonus results in a fractional number, the figure shall be rounded to the nearest whole number.
6. Site plan requests for any green building F.A.R. bonus shall be evaluated on a case-by-case basis, based on the characteristics of individual sites as determined by the Planning Board. The provision of any green building component(s) and a request for any green building F.A.R. bonus shall be included in the development application and shall be part of the typical site plan review process where the environmental benefits are analyzed in conjunction with the proposed development and the characteristics of the site, as determined by the Planning Board.
7. All green building development components shall adhere to the minimum approved/required standard for a period of no less than 10 years from the receipt of a final certificate of occupancy as demonstrated by an acceptable form of monitoring and annual performance reporting to be stipulated in a developer's agreement, or such other acceptable form of agreement, between the developer and the Township, and as otherwise provided in any condition(s) of site plan approval by the Planning Board.
8. Penalties and enforcement for failure to comply with the minimum approved/required green building performance standard shall be addressed in a developer's agreement between the developer and the Township subsequent to site plan approval by the Planning Board.

SECTION 2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 3. Severability. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 4. Effective Date. This Ordinance shall take effect upon its passage, publication and filing with the Mercer County Planning Board, and as provided for by law.

Mayor Mironov stated the Ordinance was introduced at the October 22, 2024, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2024-10. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was MOVED by Lippman, SECONDED by Zoller to adopt Ordinance 2024-10 and authorize publication as required by law.

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

Nays – None

There being six (6) ayes and no (0) nays, Ordinance 2024-10 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

There were no Ordinances for Introduction.

RESOLUTIONS:

Resolution R2024-XXX Action on Repair of Elevator Door in Municipal Building

The Resolution was carried to the next Council meeting.

Resolution R2024-141 Approval of Shared Service Agreement with Hamilton Township
for Provision of Various Professional Health Clinic and Health
Education Services

RESOLUTION R2024-141

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, the Township of East Windsor desires to provide certain health services for residents for 2024; and

WHEREAS, the Township of Hamilton is agreeable to providing STD clinic services and health education services to the Township of East Windsor for a fee and upon certain specified conditions as described in the attached agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes any municipality to enter into a contract with any other municipality for the joint provision of any service which either party is empowered to render within its own jurisdiction; and

WHEREAS, the maximum amount of the contract is \$500.00, and funds are available in the Current Fund Account No. 4-01-27-330-604-249 entitled "Licensed Professional", as evidenced by the Chief Financial Officer's Certification No. B2024-020.

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

1. The attached Agreement entitled "Shared Services Agreement for Health Services Township of Hamilton and Township of East Windsor" for a term of January 1, 2024 through December 31, 2024 is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Russell, SECONDED by Daniels to approve Resolution R2024-141.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-141 was approved.

Resolution R2024-147 Approval of Agreement with Stonegate Homeowners Association
for Reimbursement for Private Community Services for 2023

RESOLUTION R2024-147

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Stonegate Homeowners Association wish to enter into an Agreement for private community services for the year 2023 in the amount of \$1,306.80 pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 4-01-26-325-802-253 entitled “Condo Services”, in the amount of \$1,306.80, as evidenced by the Chief Financial Officer’s Certification No. B2024-021.

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

1. The attached Agreement with Stonegate Homeowners Association for the year 2023 in the amount of \$1,306.80 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Daniels, SECONDED by Katawick to approve Resolution R2024-147.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-147 was approved.

Resolution R2024-148

Chapter 159 – Amending the 2024 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for 2025 Law
and Public Safety – Child Passenger Safety Seat Program

RESOLUTION R2024-148

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 2024 in the sum of \$12,200.00 which item is now available as revenue for 2025 Law and Public Safety – Child Passenger Safety Seat Program.
2. A like sum of \$12,200.00 is hereby appropriated under the caption of 2025 Law and Public Safety – Child Passenger Safety Seat Program.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2024-148.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-148 was approved.

Resolution R2024-149 Authorizing Repair of Pot Hole Patcher with Norcia Corporation
for Public Works Department

RESOLUTION R2024-149

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need for repairs to the pot hole patcher vehicle for the Public Works Department; and

WHEREAS, one quote was received for this repair from Norcia Corporation, the sole authorized Pro-Patch 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 Director of Public Works' recommendation on the repairs; and

WHEREAS, the maximum amount of the purchase is \$7,292.75 and funds are available in Capital Account No. C-04-55-980-927-890, entitled "Annual Road Program," as evidenced by the Chief Financial Officer's Certification No. C2024-025.

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:

The Manager and Chief Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to Norcia Corporation, 451 Blackhorse Lane, North

Brunswick, NJ 08902, for repairs to Pot Hole Patcher vehicle, in an amount not to exceed \$7,292.75, all in accordance with the attached quote.

It was MOVED by Russell, SECONDED by Lippman to approve Resolution R2024-149.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-149 was approved.

Resolution R2024-150 Authorizing Repair of 2013 Volvo, 32 Cubic Yard Garbage Truck S-09 with Bergey's Truck Centers for Public Works Department

RESOLUTION R2024-150

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need for repairs to the 2013 Volvo Garbage Truck S-09 for the Public Works Department; and

WHEREAS, the vehicle is at Bergey's Truck Center and one quote was received for this repair; 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 Director of Public Works' recommendation on the repairs; and

WHEREAS, the maximum amount of the purchase is \$8,653.16 and funds are available in the Current Account No. 4-30-25-305-150-253, entitled "Garbage District - Other Contractual Services", as evidenced by the Chief Financial Officer's Certification No. GD2024-002.

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 Manager and Chief Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to Bergey's Truck Centers, 5 Crossroads Drive, Trenton NJ 08691, for repairs to Garbage Truck D-11, in an amount not to exceed \$8,653.16, all in accordance with the attached quote.

It was MOVED by Katawick, SECONDED by Lippman to approve Resolution R2024-150.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-150 was approved.

Resolution R2024-151 Authorizing Repair of 2021 Volvo, 32 Cubic Yard Garbage Truck S-06 with Norcia Corporation for Public Works Department

RESOLUTION R2024-151

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need for repairs to the 2021 Volvo Garbage Truck S-3 for the Public Works Department; and

WHEREAS, three written quotes were received for this repair, and the lowest cost proposal was submitted by Norcia Corporation in the amount of \$3,529.48; 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 Director of Public Works' recommendations on the repairs; and

WHEREAS, the maximum amount of the purchase is \$3,529.48 and funds are available in the Operating Budget Account No. 4-30-26-305-150-218, entitled "Garbage District," as evidenced by the Chief Financial Officer's Certification No. GD2024-002.

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 Manager and Chief Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to Norcia Corporation, 451 Blackhorse Lane, North Brunswick NJ 08902, for repairs to Garbage Truck S-3, in an amount not to exceed \$3,529.48, all in accordance with the attached quote.

It was MOVED by Daniels, SECONDED by Zoller to approve Resolution R2024-151.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-151 was approved.

Resolution R2024-152 Action on Award of Contract for HVAC Services and Maintenance
Contract for East Windsor Township

**RESOLUTION R2024-152
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, a Notice of Bids was issued and posted/advertised on August 28, 2024 for HVAC Services and Maintenance Contract for East Windsor Township, and four bids were received by the Municipal Clerk's Office on September 19, 2024; and

WHEREAS, the lowest qualified bid was received from McCloskey Mechanical Contractors, Inc.; and

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

WHEREAS, the total cost of the contract is for an amount not to exceed \$17,400.00 and funds are available in Capital Account No. C-04-55-980-927-400 entitled Ordinance 2022-08 "General Building Repairs," as evidenced by the Chief Financial Officer's Certification No. C2024-023.

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 HVAC Services and Maintenance Contract for East Windsor Township, for a total contract amount not to exceed \$17,400.00, is awarded to McCloskey Mechanical Contractors, Inc., 445 Lower Landing Road, Blackwood, NJ 08012, for a term of December 1, 2024 through November 30, 2025.
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 and the next lowest bidder, upon the receipt of a fully executed contract.
4. 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 Russell, SECONDED by Lippman to approve Resolution R2024-152.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-152 was approved.

Resolution R2024-153 Approval of Developers Agreement with Community Investment Strategies, Inc. for the Property Located 300-C Princeton Hightstown Road (Block 5, Lot 2.02)

RESOLUTION R2024-153

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, The Place at East Windsor, LLC the owners of 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, received Preliminary and Final Major Site Plan Approval from the Planning Board on April 15, 2019, bearing application No. PB19-002, for an affordable housing rental development consisting of 56 affordable housing rental units; and

WHEREAS, the developer is required to enter into a Developer's Agreement, pursuant to Planning Board Resolution 2019-12.

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 Developer's Agreement with The Place at East Windsor, LLC is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized to execute the Developer's Agreement with The Place at East Windsor, LLC in the attached form.
3. The Mayor, Township Attorney, Township Engineer, Finance Director, Construction Official and other Township Representatives are authorized to take any and all action necessary to carry out the terms and conditions of the Agreement.
4. A certified copy of this Resolution shall be forwarded to the Township Attorney, Engineer, Finance Director, Construction Official, and The Place at East Windsor, LLC.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2024-153.

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

Nays – None

Abstain-Mironov

There being five (5) ayes, no (0) nays, and one (1) abstention, Resolution R2024-153 was approved.

Resolution R2024-XXX Authorizing Purchase of Firefighter Turnout Gear for East Windsor Volunteer Fire Company No. 1

The Resolution was carried to the next Council meeting.

Resolution R2024-XXX Authorizing Purchase of Firefighter Turnout Gear for East Windsor Volunteer Fire Company No. 2

The Resolution was carried to the next Council meeting.

APPLICATIONS:

New Jersey State Fireman's Association Application-Justin T. Kecskes

Mayor Mironov asked the Municipal Clerk if this application was in order, and Ms. Quigley confirmed that it was.

It was MOVED by Katawick, SECONDED by Daniels to approve the New Jersey State Fireman's Association Application.

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

Nays – None

There being six (6) ayes and no (0) nays, the New Jersey State Fireman's Association Application was approved.

REPORTS BY COUNCIL AND STAFF

Council Member Zoller noted that there was a Planning Board meeting last night, November 11, 2024. Discussion on a concept plan for flex space on Town Center Road.

Council Member Russell noted that the Economic Development Committee met last week and discussed 2025 project ideas.

Council Member Lippman noted that the Health Advisory Board met last night, November 11, 2024. Discussion on upcoming projects and information for people on winter vaccines.

CORRESPONDENCE:

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

APPOINTMENTS:

Mayor Mironov asked to appoint David Monahan to the Planning Board as an Alternate Member #2.

It was MOVED by Lippman, SECONDED by Katawick to appoint David Monahan to the Planning Board as an Alternate Member # 2.

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

Nays – None

There being six (6) ayes and no (0) nays, David Monahan was appointed to the Planning Board as Alternate Member #2.

APPROVAL OF BILLS:

Mayor Mironov stated a 2023 Current Bill list, 2024 Current Bill list, a Capital Bill List and other miscellaneous bill lists, and trust accounts were provided.

Mayor Mironov advised that invoices for SG Heating & Air are to be held as noted on the Current 2024 Bills List, page 11. Questioned what the bills are for.

Mayor Mironov questioned two invoices from Arc Mercer under the NJ Transit Grant on the Grants Bill List. Did the Township get the funds and agreement or is this an advance of funds?

Mayor Mironov asked that four invoices for W.B. Mason under the Health Grants on the Grants Bill List be pulled. There was an understanding that no spending from health grants was to be made until full accounting was requested.

It was MOVED by Katawick, SECONDED by Zoller to approve the various Bills 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 Bills lists were approved with the requested holds and clarifications.

MATTERS BY COUNCIL:

Mayor Mironov asked the staff to let her know their thoughts on the schedule of meetings for the rest of 2024. Council Member Daniels is not available on December 10th or 11th. A virtual meeting may be okay for her.

Mayor Mironov requested a letter be prepared regarding Windsor Meadows fencing for her review.

Mayor Mironov would like to be advised when the Spatial Data Logic software is up and running in the Code Enforcement office.

Mayor Mironov would like to know who handles the Vacant and Abandoned Properties list. Wants to know the process and the list of properties.

Mayor Mironov inquired as to who is working on the Comcast Ordinance.

Mayor Mironov requested a monthly grant update.

Staff to prepare applications and ideas for a New Jersey Department of Transportation grant. Matter to be placed on the next Township Agenda.

Council received a memo from the DPW pertaining to the last payment on a road project to be paid. Payment will need to be made by resolution, and follow-up is needed pertaining to retainage and if bonds are to be in place and/or required.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Stockton Street Curbs and Sidewalks Joint Project with Hightstown Borough
Resolution R2024-131 Authorizing Payment #2 for Joint East Windsor Hightstown Stockton Street Sidewalk and Curb Project to Seacoast Construction, Inc.

The Resolution was carried to the next Council meeting.

2. Regulation of Hotels and Motels
Ordinance 2024-11 An Ordinance Amending and Supplementing Chapter VI, "Licensing," Section 6-8 "Hotels, Motels Boarding Houses and Rooming Houses" by Amending Subsection 6-8.1 "Definitions" and by Amending Subsection 6-8.7 "Duration Of Stay" of the Revised General Ordinances of the Township of East Windsor

ORDINANCE NO. 2024-11
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VI,
“LICENSING,” SECTION 6-8 “HOTELS, MOTELS BOARDING
HOUSES AND ROOMING HOUSES” BY AMENDING
SUBSECTION 6-8.1 “DEFINITIONS” AND BY AMENDING
SUBSECTION 6-8.7 “DURATION OF STAY” OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR**

WHEREAS, the Township Council finds and determines that it is necessary to limit the duration of stays at hotels, motels, boarding houses and rooming houses, in order to control vice, public disturbances, narcotics offenses, to protect the general public and to maintain public health, safety and good order in the Township; and

WHEREAS, pursuant to N.J.S.A. 40:52-1(d), the Township is authorized to make, amend, repeal and enforce ordinances to license and regulate hotels, motels, boarding houses and rooming houses; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township is authorized to enact such ordinances as deemed necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the Township and its inhabitants;

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

I

1. Chapter VI, Section 6-8.1 *Definitions* of the Revised General Ordinances of the Township of East Windsor is amended to read as follows (new language is underlined and deleted language is indicated by ~~strikeout~~):

6-8.1 *Definitions*. As used in this section:

- a. *Boarding House* shall mean any private dwelling or dwelling unit where the owner, tenant or operator thereof is engaged in keeping one or more roomers or boarders who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner, tenant or operator or the spouse of the owner, tenant or operator and is serving food to some or all of the lodgers, for part of a day or longer period, under expressed contract or rate of payment.
- b. Contract Guest shall mean any person who occupies or is entitled to occupy a unit in a hotel or motel by reason of a contract or voucher or by other payment method from a state, county or local agency or not-for-profit entity engaged in providing housing accommodations for the right to occupy a hotel or motel unit.
- c. Guest shall mean any person who occupies a unit in a hotel or motel, either as a temporary occupant or transient, other than a contract guest.
- d. Hotel/Motel shall mean any building, including but not limited to any related structure, accessory building, and land appurtenant thereto, and any

part thereof, which contains ten or more units or sleeping facilities for twenty-five or more persons, and is kept, used, maintained, advertised as, or held out to be, a place where sleeping or dwelling accommodations are available to guests. No more than 20% of the units in a hotel or motel may be allocated to the use of contract guests.

- e. *Rooming House* shall mean a boarding house which is not engaged in serving food to lodgers.

2. Chapter VI, Section 6-8.7 *Duration of Stay* of the Revised General Ordinances of the Township of East Windsor is amended to read as follows:

6-8.7 Duration of Stay.

- a. With the exception of the owner and any staff, who are permitted to reside at the ~~premises~~ hotel or motel, and subject to subsection (b) below, no ~~person~~ guest or contract guest may occupy a hotel or motel unit for longer than ~~fourteen (14)~~ thirty (30) consecutive days, and such ~~person~~ guest or contract guest may not extend this time period by moving to another unit within the same ~~establishment~~ hotel or motel.
- b. A guest may extend his or her stay for up to thirty (30) additional days at a time, if such guest provides written proof to the management of the hotel or motel of current valid residency outside of East Windsor Township and that such guest is staying at the hotel or motel while performing a temporary function or service in East Windsor Township, such as employment on a construction project or other temporary work assignment, or while repairs or improvements are being made to the guest's primary residence, making it temporarily unavailable, where such timeframe remains limited and where the guest's vacancy of the hotel or motel will occur at the conclusion of such repairs or improvements or when the guest's primary residence becomes habitable.
- c. No room within a hotel, motel, boarding house or rooming house shall be offered for occupancy for less than one full day.

II

REPEAL

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

III

SEVERABILITY

If any section, subsection, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

IV EFFECTIVE DATE

This Ordinance shall take effect 20 days after final passage and publication according to law.

It was MOVED by Daniels, SECONDED by Lippman to approve Ordinance 2024-11 on introduction and authorize publication as required by law and set public hearing on November 26, 2024.

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

Nays – None

There being six (6) ayes and no (0) nays, Ordinance 2024-11 was approved on introduction and authorize publication as required by law and set public hearing for November 26, 2024.

3. Bond Anticipation Notes Sale Accounting of Funds
 - A. Fund Balance
 - B. Other Accounts

Chief Financial Officer, Scott Frueh is working on gathering information for the next Township meeting.

4. Township Park and Recreation Improvements

- A. Anker Park/Turf Installation

Mayor Mironov noted that the westside is almost level with concrete, but the back has more buffer room, would like to know why? Mayor Mironov would like to know what other amenities need to be addressed.

- B. Senior Center Amenities

Looking at purchasing a pavilion and working on grant funding for the purchase. Proposed to build on the right side of the building.

- C. Wiltshire Park

Obtaining quotes on basketball courts. Can the shuffleboards be removed in house and the area remain grass?

- D. Westfield Tennis Courts

Obtaining quotes for repairs and need a plan for a pickleball court.

- E. Wiltshire Bridge

Project is moving along.

- F. Woods Road Park

Subcommittee is looking into play equipment

5. Plastic Film Recycling Programs

Council received a memo from the Department of Public Works pertaining to Trex benches that the Township has earned through a recycling program. Mayor Mironov would like to know how the Township obtains the benches. How does GEODIS pick up and transport the recyclable product and what does the Township do to get GEODIS involved.

6. East Windsor Green Space

Mayor Mironov would like to know who is handling this. Township Manager Joy Tozzi and Assistant Township Manager Omar Buckingham will report back this week.

MATTERS BY PUBLIC:

Demansky, 33 Woodside Avenue, indicated that the current hotel ordinance is working well.

ADJOURNMENT:

Next Meeting: November 26, 2024

Allison Quigley

Municipal Clerk

Janice S. Mironov

Mayor