

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, April 9, 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 5:38 p.m. on Tuesday, April 9, 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 February 9, 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 Chief of Police Jason Hart

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS

ADMINISTER OATH OF OFFICE TO:
NEW POLICE OFFICERS

Mayor Janice S. Mironov administered the Oath of Office to new Police Officer Zakary Fritz and Police Officer Vincent Ceres.

Mayor Mironov stated, "This is an exciting evening for East Windsor Township and our Police Department. We congratulate and welcome the two new police officers to our department."

National Volunteer Week (April 21 – 27, 2024)

Mayor Janice S. Mironov recognized East Windsor Senior Center Volunteers for their service during National Volunteer Week at a ceremony at the Senior Center, where she presented them with Certificates of Appreciation for their valuable contributions to the operations of the Senior Center.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for Boards and Commissions.

PUBLIC FORUM:

Terrance Brogan spoke and asked when Beechcroft Drive and Hemlock Drive would be repaved. They also asked about possible improvement projects for the Senior Center, and Mayor Mironov asked they reached out to the Township Manger with their suggestions.

MINUTES:

The minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

There were no Ordinances for Public Hearing.

ORDINANCE – INTRODUCTION:

Ordinance No. 2024-04 An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for the Police Benevolent Association Local #191 for Fiscal Years 2021, 2022, 2023 and 2024

**ORDINANCE NO.2024-04
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE OF THE TOWNSHIP OF
EAST WINDSOR, NEW JERSEY, TO
ESTABLISH SALARIES AND WAGES FOR
NEW JERSEY STATE POLICEMAN’S BENEVOLENT ASSOCIATION
LOCAL #191 UNION FOR FISCAL YEARS 2021-2024**

BE IT ORDAINED AND ENACTED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that employees of the Township in the New Jersey State Policeman’s Benevolent Association Local #191 Union shall be paid the following salaries and wages for the contract years 2021, 2022, 2023 and 2024 and until a successor Ordinance is adopted.

**SECTION 1. SCHEDULE OF SALARIES FOR EMPLOYEES HIRED PRIOR TO
FEBRUARY 1, 2024**

YEAR 2021

Classification	Rate	Hourly
Probation	\$45,382.00	\$21.81
Patrolman-1	\$64,325.56	\$30.92
Patrolman-2	\$78,300.60	\$37.64
Patrolman-3	\$82,888.22	\$39.85
Patrolman-4	\$87,474.81.	\$42.06
Patrolman-5	\$92,062.43	\$44.26
Patrolman-6	\$96,649.02	\$46.46

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Patrolman-7	\$107,599.98	\$51.73
Sergeant	\$124,058.00	\$59.64

YEAR 2022

Classification	Rate	Hourly
Probation	\$45,382.00	\$21.81
Patrolman-1	\$66,255.33	\$31.85
Patrolman-2	\$80,649.62	\$38.77
Patrolman-3	\$85,374.87	\$41.10
Patrolman-4	\$90,099.05	\$43.32
Patrolman-5	\$94,824.30	\$45.59
Patrolman-6	\$99,548.49	\$47.86
Patrolman-7	\$110,827.97	\$53.28
Sergeant	\$127,780.10	\$61.43

YEAR 2023

Classification	Rate	Hourly
Probation	\$45,382.00	\$21.81
Patrolman-1	\$66,255.33	\$31.85
Patrolman-2	\$80,649.62	\$38.77
Patrolman-3	\$85,374.87	\$41.10
Patrolman-4	\$90,099.05	\$43.32
Patrolman-5	\$94,824.30	\$45.59
Patrolman-6	\$99,548.49	\$47.86
Patrolman-7	\$115,261.08	\$55.41
Sergeant	\$132,891.30	\$63.89

YEAR 2024

Classification	Rate	Hourly
Probation	55,000.00	\$26.44
Patrolman-1	\$66,255.33	\$31.85
Patrolman-2	\$80,649.62	\$38.77
Patrolman-3	\$85,374.87	\$41.10
Patrolman-4	\$90,099.05	\$43.32
Patrolman-5	\$94,824.30	\$45.59
Patrolman-6	\$99,548.49	\$47.86
Patrolman-7	\$119,871.52	\$57.63
Sergeant	\$138,206.95	\$66.45

SECTION 2. SCHEDULE OF SALARIES FOR EMPLOYEES HIRED AFTER FEBRUARY 1, 2024

YEAR 2024

Classification	Rate	Hourly
Probation	55,000.00	\$26.44
Patrolman-1	\$66,255.33	\$31.85

Patrolman-2	\$80,649.62	\$38.77
Patrolman-3	\$85,374.87	\$41.10
Patrolman-4	\$90,099.05	\$43.32
Patrolman-5	\$94,824.30	\$45.59
Patrolman-6	\$99,548.49	\$47.86
Patrolman-7	\$105,188.23	\$50.57
Patrolman-8	\$119,871.52	\$57.63
Sergeant	\$138,206.95	\$66.45

SECTION 3. LONGEVITY FOR EMPLOYEES HIRED PRIOR TO JANUARY 1, 2010

YEAR 2021, 2022, 2023 AND 2024

<u>Months of Service</u>		<u>Longevity Pay</u>
<u>Begin</u>	<u>Complete</u>	
60	108	4-1/2% of base salary.
109	168	5-1/2% of base salary.
169	228	6-1/2% of base salary.
229	288	7-1/2% of base salary.
289	over	8% of base salary.

SECTION 4. LONGEVITY FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2009

YEAR 2021, 2022, 2023 AND 2024

<u>Months of Service</u>		<u>Longevity Pay</u>
<u>Begin</u>	<u>Complete</u>	
109	168	1-1/2% of base salary.
169	228	2-1/2% of base salary.
229	288	3-1/2% of base salary.
289	over	4% of base salary.

SECTION 5. GENERAL

The hourly rates contained in Section 1 and Section 2 of this Ordinance are established solely for the purpose of overtime and special duty and shall apply solely to the payment of overtime and special duty and for no other purpose.

SECTION 6.

All Ordinances and Resolutions inconsistent with this Ordinance are hereby repealed.

SECTION 7.

Except as otherwise provided rates of compensation provided herein are retroactive to January 1, 2021.

SECTION 8.

This Ordinance shall become effective twenty (20) days after final passage and publication according to law and shall remain in effect until amended or suspended.

It was MOVED by Lippman, SECONDED by Katawick to approve Ordinance 2024-04 on introduction, authorize publication as required by law and set public hearing for April 30, 2024.

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

Nays – None

There being seven (7) ayes and no (0) nays, Ordinance 2024-04 was approved on introduction, publication authorized as required by law, and public hearing set for April 30, 2024.

Ordinance No. 2024-05 An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for the Police Superior Officers' Association Local #191, for Fiscal Years 2021 through 2024

**ORDINANCE NO. 2024-05
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE OF THE TOWNSHIP OF
EAST WINDSOR, NEW JERSEY, TO
ESTABLISH SALARIES AND WAGES FOR THE
POLICE SUPERIOR OFFICERS' ASSOCIATION UNION
FOR FISCAL YEARS 2021-2024**

BE IT ORDAINED AND ENACTED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, employees of the Township in the Police Superior Officers Association Union shall be paid the following salaries and wages for the contract years 2021, 2022, 2023 and 2024 and until a successor Ordinance is adopted.

SECTION 1. SCHEDULE OF SALARIES

YEAR 2021		
<u>Classification</u>	<u>Rate</u>	<u>Hourly</u>
Lieutenant	\$147,917.27	\$71.11
Stand-by Pay	\$ 5,940.94	\$ 2.86

YEAR 2022		
<u>Classification</u>	<u>Rate</u>	<u>Hourly</u>
Lieutenant	\$152,354.79	\$73.25
Stand-by Pay	\$ 5,940.94	\$ 2.86

YEAR 2023		
<u>Classification</u>	<u>Rate</u>	<u>Hourly</u>
Lieutenant	\$158,448.98	\$76.18
Stand-by Pay	\$ 5,940.94	\$ 2.86

YEAR 2024		
<u>Classification</u>	<u>Rate</u>	<u>Hourly</u>
Lieutenant	\$164,786.94	\$79.22

Stand-by Pay \$ 5,940.94 \$ 2.86

SECTION 2. LONGEVITY FOR EMPLOYEES HIRED BEFORE JANUARY 1, 2010

YEARS 2021, 2022, 2023 AND 2024

<u>Months of Service</u>		<u>Longevity Pay</u>
<u>Begin</u>	<u>Complete</u>	
60	108	4-1/2% of base salary.
109	168	5-1/2% of base salary.
169	228	6-1/2% of base salary.
229	288	7-1/2% of base salary.
289	over	8% of base salary

SECTION 3. LONGEVITY FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2009

YEARS 2021, 2022, 2023 AND 2024

<u>Months of Service</u>		<u>Longevity Pay</u>
<u>Begin</u>	<u>Complete</u>	
109	168	1-1/2% of base salary.
169	228	2-1/2% of base salary.
229	288	3-1/2% of base salary.
289	over	4% of base salary

SECTION 4. GENERAL

The hourly rates contained in Section 1 – Schedule of Salaries are established solely for the purpose of overtime and special duty and shall apply solely to the payment of overtime and special duty and for no other purposes.

SECTION 5.

All Ordinances and Resolutions inconsistent with this Ordinance are hereby repealed.

SECTION 6.

Except as otherwise provided rates of compensation provided herein are retroactive to January 1, 2021.

SECTION 7.

This Ordinance shall become effective twenty (20) days after final passage and publication according to law and shall remain in effect until amended or suspended.

It was MOVED by Russell, SECONDED by Whittington to approve Ordinance 2024-05 on introduction, authorize publication as required by law and set public hearing for April 30, 2024.

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

There being seven (7) ayes and no (0) nays, Ordinance 2024-05 was approved on introduction, publication authorized as required by law, and public hearing set for April 30, 2024.

Ordinance No. 2024-06 An Ordinance of the Township of East Windsor, County of Mercer, Authorizing to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

**ORDINANCE NO. 2024-06
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

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

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

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

WHEREAS, the Township Council of the Township of East Windsor in the County of Mercer finds it advisable to permit an increase of its CY 2024 budget by up to 3.5%, if necessary, over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that an increase of up to 1% increase in the budget for said year, amounting to \$196,178.04 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final CY 2024 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

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

I

1. In the CY 2024 budget year, the final appropriations of the Township of East Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$686,623.14 and that the CY 2024 municipal budget for the Township of East Windsor be approved and adopted in accordance with this ordinance; and
2. Any amount authorized herein that is not appropriated as part of the final CY 2024 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.
3. A certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction.

4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with said Director within 5 days after such adoption.

II

REPEAL

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

III

SEVERABILITY

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

IV

EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the final passage and publication as required by law.

It was MOVED by Lippman, SECONDED by Zoller to approve Ordinance 2024-06 on introduction, authorize publication as required by law and set public hearing for April 30, 2024.

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

There being seven (7) ayes and no (0) nays, Ordinance 2024-06 was approved on introduction, publication authorized as required by law, and public hearing set for April 30, 2024.

RESOLUTIONS:

Resolution R2024-048 Action on Request for Release of Performance Guarantee by
Innovation Park LLC for 148-210 Princeton-Hightstown Road

The Resolution was held.

Resolution R2024-053 Approval of Agreement with Police Benevolent Association Local
#191, effective January 1, 2021, through December 31, 2024

RESOLUTION R2024-053 EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, as a result of negotiations, the East Windsor Policeman's Benevolent Association Local No. 191 and the Township of East Windsor have reached agreement on the terms and conditions of employment; and

WHEREAS, the Township Council has reviewed the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED that 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 Agreement between the Township of East Windsor, County of Mercer, and the New Jersey State Policemen's Benevolent Association Local No. 191 effective January 1, 2021 through December 31, 2024.

It was MOVED by Daniels, SECONDED by Zoller to approve Resolution R2024-053.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-053 was approved.

Resolution R2024-054 Approval of Agreement with Superior Officer's Association of
Policeman Benevolent Association Local #191, effective
January 1, 2021 through December 31, 2024

**RESOLUTION R2024-054
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, as a result of negotiations, the Superior Officers' Association of the New Jersey State Policemen's Benevolent Association Local No. 191 and the Township of East Windsor have reached an agreement on the terms and conditions of employment; and

WHEREAS, the Township Council has reviewed the attached Agreement.

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 Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement between the Township of East Windsor, County of Mercer, and the Superior Officers' Association of the New Jersey State Policemen's Benevolent Association Local No. 191 effective January 1, 2021 through December 31, 2024.

It was MOVED by Katawick, SECONDED by Russell to approve Resolution R2024-054.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-054 was approved.

Resolution R2024-055 Approve Filing of 2023 Recycling Municipal Tonnage Grant
Report

RESOLUTION R2024-055

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of East Windsor Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling requirements; and

WHEREAS, such a resolution should designate the individual authorized to ensure the certification to comply with requirements in N.J.A.C. 7:26A-11 is properly completed and timely filed.

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. East Windsor Township hereby endorses the submission of the 2023 recycling tonnage grant certification to comply with the requirements in N.J.A.C. 7:26A-11 and New Jersey Department of Environmental Protection and designates certified Recycling Coordinator, Heather Light to ensure that the requirements are properly filed.
2. The monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.
3. The Mayor is hereby authorized and directed to execute the attached Certification.

It was MOVED by Lippman, SECONDED by Whittington to approve Resolution R2024-055.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-055 was approved.

Resolution R2024-056 Approval of Agreement with Mercer County for State and Local
Fiscal Recovery Fund Grant Program

**RESOLUTION R2024-056
EAST WINDSOR TOWNSHIP**

MERCER COUNTY

WHEREAS, the American Rescue Plan Act (the "ARPA") was enacted, among other purposes, to provide additional relief to address the continued impact of the COVID-19 Disease and Public Health Emergency; and

WHEREAS, Section 9901 of ARPA amended Title VI of the Social Security Act to add sections 602 and 603, which established the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund; and

WHEREAS, the United States Department of the Treasury combined the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund to create the State and Local Fiscal Recovery Fund Program ("SLFRF"); and

WHEREAS, the County and Township each received an amount from the SLFRF ("Relief Funds"), among other purposes, to support urgent COVID-19 response efforts and address public health and economic challenges; and

WHEREAS, as recipients of the Relief Funds, the County and Township each understand their responsibility to administer the Relief Funds in accordance with the terms and provisions of the SLFRF and any guidelines or regulations issued by the United States government or any of its agencies and/or departments; and

WHEREAS, the County outlined priorities for its portion of the Relief Funds that included, among other priorities, funding to local municipalities participating in the Mercer County Community Investment Initiative (MCCII) Program ("MCCII Program") for the purpose of, but not limited to, expanding upon existing programs that provide social services, health care and transportation needs for seniors, veterans and the disabled in local communities; and

WHEREAS, the County received a request from the Township under the MCCII Program that proposes using a portion of the County's Relief Funds in the amount of \$74,000.00 to fund Township Senior Center equipment, classes, activities, and programs, HVAC system improvements, audio/visual and Wi-Fi equipment, and senior citizen activity programs

WHEREAS, the County reviewed the request from the Township for a portion of the County's Relief Funds and determined that the proposed use of Relief Funds by the Township was reasonable under the terms and conditions of the SLFRF.

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 SLFRF Grant Agreement between the Township of East Windsor and County of Mercer.
2. The Township agrees to perform services described in the Grant Agreement and comply with the conditions of the Grant Agreement.

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

Mayor Mironov requested the first paragraph be removed from the Resolution.

It was MOVED by Katawick, SECONDED by Russell to approve Resolution R2024-056 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-056 was approved with revisions.

Resolution R2024-057 Amending Resolution R2023-170 Authorizing Purchase of
Replacement Telephone System from Hunter Carrier Services for
Municipal Building

**RESOLUTION R2024-057
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, On September 12, 2023 by Resolution R2023-146, the Township Council approved the purchase and installation of a replacement telephone system for the Municipal Building from Hunter Technologies in a total purchase amount not to exceed \$50,377.99; and

WHEREAS, Hunter Technologies has submitted a revised cost proposal through State Contraction #A80802, Schedule B-11-X-2141, which is valid through January 31, 2024, with an additional \$2,625. charge, after conducting a site visit and determining seven new telephones require additional cabling to properly install the system, resulting in additional labor and material costs; and

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

WHEREAS, the maximum amount of this purchase is increased by \$2,625., for a total contract amount not to exceed \$58,454.39 and funds for the additional costs in the amount of \$2,625. are available in Capital Account No. C-04-55-980-927-400 entitled Ordinance 2022-08 “General Building Repairs” and C04-55-980-924-705 entitled Ordinance 2020-07 “Acquisition of Telephone System in the total amount of \$58,454.39 as evidenced by the Chief Financial Officer’s Certification No. C2023-010; and,

WHEREAS, on November 8, 2023, by Resolution R2023-170, the Township Council approved the request by Hunter Technologies that it needed to install the system in a new location in the building at an additional cost of \$5,451.40, in a total purchase amount not to exceed \$55,829.39.

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 Hunter Technologies, 1709 Route 34, Suite 3, Wall, NJ 07727 for additional labor and material costs in an amount not to exceed \$2,625, all in accordance with the attached quote.

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

Mayor Mironov requested the first and second paragraphs be corrected, as there were several errors in the dates and numbers.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2024-057 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-057 was approved with revisions.

Resolution R2024-058 Approval of Developer's Agreement with QTS Realty Trust, LLC
for 159 Princeton Hightstown Road

**RESOLUTION R2024-058
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, QTS Investment Properties Princeton, LLC, the owner of property located at 159 Princeton-Hightstown Road, East Windsor, New Jersey, Block 63, Lots 6, 6.01, 8, 9, 10.03, 10.04 and 51, as shown on the official tax map of the Township of East Windsor, by Resolution No. 2023-17 approved on October 2, 2023 received Preliminary and Final Site Plan Approval with Bulk Variance and Design Waivers from the Planning Board under application No. PB23-003, for upgrading and potential future expansion of its existing data center; and

WHEREAS, the developer is required to enter into a Developer's Agreement, pursuant to Planning Board Resolution 2023-17.

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 QTS Investment Properties Princeton, LLC is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized to execute the Developer's Agreement with QTS Investment Properties Princeton, 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, Township Engineer, Finance Director, Construction Official, and QTS Investment Properties Princeton, LLC.

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

Mayor Mironov requested a sentence be added to the first paragraph with the Planning Board Resolution number and date.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2024-058 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-058 was approved with revisions.

Resolution R2024-059 Authorizing Participation in New Jersey State Plan Cross
Acceptance Process

**RESOLUTION R2024-059
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et. seq.) created a State Planning Commission and an Office of Smart Growth for the purpose of establishing a cooperative planning process that involves the full participation of state, county and local government; and

WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social and economic opportunity for New Jersey’s citizens, and to prevent sprawl and promote the suitable use of land; and

WHEREAS, the primary duty and responsibility of the State Planning Commission under the State Planning Act is the preparation of a “State Development and Redevelopment Plan”; and

WHEREAS, the State Planning Act also provides that the State’s municipalities are to have an essential role in the development of the State Plan through their participation in the Cross-Acceptance process to be conducted under the Act; and

WHEREAS, the Cross-Acceptance process is the primary vehicle under the Act for promoting vertical coordination and integration of state, county and local plans by affording county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and

WHEREAS, the Mercer County Executive and Board of Commissioners have concluded that it is appropriate, necessary and in the County’s interest to fully participate in the development of the State Plan through the full and active participation of the County government, to participate in the Cross-Acceptance process; and

WHEREAS, the Township Council believes it is in the interests of the municipal government to participate in the development of the State Plan through participation in the Cross-Acceptance process.

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. East Windsor Township hereby expresses the municipality's interest in participating in the Cross Acceptance process.
2. The Mayor and such other officials, as designated by the Mayor, are authorized to represent East Windsor and coordinate with the County in this process.

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

Mayor Mironov requested a typo be corrected in the sixth paragraph.

It was MOVED by Russell, SECONDED by Whittington to approve Resolution R2024-059 with revisions.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-059 was approved with revisions.

Resolution R2024-060 Amending Resolution R2023-149 Approving Professional Engineering Service Agreement with Hopewell Valley Engineering for Union Transportation Trail Extension

**RESOLUTION R2024-060
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on January 23, 2018, by Resolution R2018-033, the Township Council approved an award for Professional Engineering Services with Hopewell Valley Engineering for the Design of the Union Transportation Trail (UTT) extension between the Mercer County and Monmouth County border and Airport Road in an amount of \$95,000.00, and then on April 6, 2021, by Resolution R2021-060, the Township Council approved Change Order #1 for the final trail alignment control surveying and aerial photos in the amount of \$8,250.00, and then by Resolution R2021-130, the Township Council approved an Amendment to the Agreement for Professional Engineering Services with Hopewell Valley Engineering to increase the contract amount by \$272,750 to \$376,000, for the remaining surveying and engineering work for the UTT Extension project; and

WHEREAS, by Resolution R2023-149, the Township Council approved an Amendment to the Agreement for Professional Engineering Services with Hopewell Valley Engineering, due to unexpected new late imposed requirements by the New Jersey Department of Environmental Protection to provide additional engineering services and filing fees, to increase the contract amount by \$46,870.00 to \$407,870.00; and

WHEREAS, the Township needs to further amend the Professional Engineering Services agreement with Hopewell Valley Engineering to pay for additional filing fees for the New Jersey Department of Environmental Protection required Flood Hazard Amendment modification, in the amount of \$3,600 and a \$1,000 credit is available towards the Freshwater Wetlands permit filing fee, to increase the contract amount from \$407,870 to \$410,470; and

WHEREAS, the additional contract project cost in the amount of \$2,600, for a total project cost in the amount of \$410,470. And funds are available in Account No. G-02-40-950-980-299 entitled

"DVRPC - UTT Phase VIII" in the amount of \$2,600, as evidenced by the Chief Financial Officer's Certification No. G2024-003.

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 Amendment to the Agreement for Professional Engineering Services with Hopewell Valley Engineering, 1600 Reed Road, Suite A, Pennington NJ 08534, for the Union Transportation Trail (UTT) Extension Project, to increase the contract amount by \$2,600 - specifically \$3,600 for permit filing fee and a \$1,000 credit reduction in the Freshwater Wetlands Permit application from \$15,000 to \$14,000, from \$407,870 to a total project cost of \$410,470, is hereby approved.
2. The Mayor and Chief Financial Officer are hereby authorized to approve and forward a check in the amount of \$3,600 to Hopewell Valley Engineering, 1600 Reed Road, Suite A, Pennington NJ 08534, for the New Jersey Department of Environmental Protection modified Flood Hazard permit fee.
3. The Mayor and Chief Financial Officer are hereby authorized to approve and forward a check in the amount of \$14,000 to Hopewell Valley Engineering, 1600 Reed Road, Suite A, Pennington NJ 08534, for the Freshwater Wetlands Permit application.
4. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution to Hopewell Valley Engineering, PC.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2024-060.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-060 was approved.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF

Mr. Zoller noted that the current Green Team Advisory Committee met on April 4, 2024. Mr. Zoller also noted that the Planning Board met on April 8, 2024, where two applications were discussed; 1.) Walmart Real Estate Business Trust, 839 Route 130-proposed changes to safely facilitate customer pick up and online orders and 2.) Tesla, Inc., 610 Route 513-Installation of 32 Tesla-brand charging stations and a design waiver to permit 9 x 18 parking stalls.

Mr. Russell noted that the Economic Development Committee met on April 4, 2024, and Mr. Russell announced that the Economic Development Committee is hosting a Networking and Business Award Event on Wednesday May 29th, at 5:30 P.M. at the Township Senior Center. The

event is an opportunity for businesses to network with other businesses and to meet the Mayor, Council Members and other local officials. East Windsor Township will be presenting awards to local businesses that make special efforts to improve or contribute to the community. The categories of Township award recognition are Business Beautification, Community Service and Community Enhancement. Light refreshments will be served. There is no cost to attend, however, pre-registration is required.

CORRESPONDENCE:

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

APPOINTMENTS:

Resolution R2024-061 Appointing East Windsor Municipal Utilities Authority Member

The Resolution was held.

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.

Mr. Zoller asked for clarification on the motor fuel bills as they are identical amounts and Mr. Zoller would like to know how the amounts are allocated to better understand why the amounts are identical on Page 11 of the 2024 Current Bill list.

Mayor Mironov questioned a NIFS Reporting System for the Fire Department for \$7,600.00 on page 4 on the 2024 Current Bill List. Mayor Mironov would like to know what this bill is for and asked for the bill to be held.

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

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

There being seven (7) ayes and no (0) nays, the various Bills lists were approved with the requested holds and clarifications.

MATTERS BY COUNCIL:

Mayor Mironov advised that the Highway Traffic Safety Grant deadline is April 30th. Mayor Mironov noted that East Windsor Township usually applies for the Child Passenger Safety Seat Program grant.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Senior Center Air Conditioning Project -JCP&L Funding Program

Resolution R2024-062 Approval of Amendment to Resolution R2023-126 for Purchase and Installation of Replacement of Air Conditioning Condenser Units for Senior Center

**RESOLUTION R2024-062
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on July 25, 2023, by Resolution R2023-126, the Township Council of East Windsor Township authorized an emergency contract for the purchase and installation of five replacement air conditioning condenser units and the conversion of freon, for a total amount not to exceed \$98,874.00 with SG Heating and Air Conditioning, 50 Cunningham Avenue, Hamilton NJ 08610; and

WHEREAS, near the end of the repairs, SG Heating and Air Conditioning identified additional, unanticipated work necessary to complete the project, costing an additional \$6,386.36, bringing the total project cost to \$105,260.36; and

WHEREAS, this work was necessary to complete repairs to satisfy the Township's authorized emergency procurement, and said work was completed;

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 amend the purchase order to SG Heating and Air Conditioning, 50 Cunningham Avenue, Hamilton NJ 08610, and issue payment in the amount of \$6,386.36 for a contract total not to exceed \$105,260.36 for the completion of additional emergency work required to complete the necessary repairs.

It was MOVED by Russell, SECONDED by Katawick to approve Resolution R2024-062.

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

There being seven (7) ayes and no (0) nays, Resolution R2024-062 was approved.

2. Police Youth Academy

Mayor Mironov and Council received a memo from Chief of Police Hart with registration details pertaining to the East Windsor Township Youth Police Academy that would be hosted by the East Windsor Police Department and East Windsor Police Athletic League (P.A.L.) to all Melvin H. Kreps students, or East Windsor residents who are entering the 6th, 7th, or 8th grade in September of 2024. Spots would be limited to 25 participants, who will be selected on a first come first serve basis. The Academy would run from July 8th through July 12th, from 9 A.M. to 3 P.M. at the East Windsor Police Department (80 One Mile Road). Students selected would be provided with an Academy hat and t-shirt.

Mr. Katawick fully supports this endeavor.

Mr. Lippman also fully supports this initiative.

Mayor Mironov and Council Members agreed to support the Police Youth Academy and have the program implemented for the summer.

3. Anker Park: Surface for New Play Equipment

Mayor Mironov stated they received a memo from the Department of Public Works dated April 4th. Mayor Mironov noted that the memo does not answer questions on how the installation will be handled, what will be included, pricing, or a timeline.

Ms. Daniels is not interested in going out to bid for this work and recommends that someone should be contracted from the State Contract. Ms. Daniels questioned drainage issues. Public Works was directed to obtain and provide more information.

4. One Mile Road - - Traffic/Pedestrian Traffic Mitigation

Mayor Mironov noted that the Township needs to get an agreement from the developer and would like Council, the Planning Board, and Chief of Police Hart to review.

5. Interfund Transfer List and Plan/ BAN Sale

No update

6. 2024 Municipal Budget and Budget Review Schedule

Township Manager Tozzi and Chief Financial Officer Frueh advised that the budget will be ready this week. Mayor Mironov had requested Council Members to provide their availability in April and May.

MATTERS BY PUBLIC:

Gloria Demanski asked for an update on the Windsor Hotel due to problems in the area. Chief of Police Hart updated the resident.

Richard Mantouno, 760 Windsor-Perrineville Road, stated that town hall needs work in the back of the building and does the Township have a grant or money to make improvements. Township Administrator Tozzi advised that she will take care of this concern and Mayor Mironov noted that the Township will look into this matter. Mr. Mantouno asked if the County has a list of the NJ DOT grants that they have received to date and what road work they are doing. Mayor Mironov advised that the County has a new County Administrator and is certain that at some point the Township will get a list of road projects that the County is working on and grants secured at the County level for road projects.

Council Meeting Minutes

April 9, 2024

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Mindy Gerber thanked Mayor and Council for a lovely luncheon at the Senior Center in recognition of National Volunteer Week.

ADJOURNMENT:

Next Meeting: April 30, 2024

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor