

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, April 30, 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 6:30 p.m. on Tuesday, April 30, 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 the Director of Public Works, Peter Genthe.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS

Earth Day- RECYCLING POSTER CONTEST AWARDS - (April 22, 2024)

Mayor Janice S. Mironov recognized the elementary school winners of the East Windsor Township Earth Day Recycling Poster Contest. The theme of the poster was to promote any or all of the “4 R’s” of the East Windsor Township Recycling Program Logo, which are:

RECYCLE *all items that can be recycled.*

REUSE *other items rather than throw them out in the trash.*

REDUCE *materials into their homes that then have to be disposed of.*

REBUY *buy goods that use recycled materials.*

Winners from Grades K – 2 and Grades 3 – 5 all received Mayoral Certificates of Recognition and gift certificates to Barnes and Noble, donated by corporate sponsor Shiseido America.

Mayor Mironov congratulated all of the students stating, “we are proud of these Township Earth Day Recycling Poster Contest winners, who demonstrated an interest at a very young age in encouraging recycling as an important tool for creating a greener environment. The posters designed by the students creatively and colorfully serve to remind everyone of the importance of practicing and promoting recycling to help protect and preserve our environment.”

The recognized student winners were; Jesiah Ahenkora (Walter C. Black); Sahasra Prabakaran (Ethel McKnight); Josephine Hayston (Ethel McKnight), and Jenise Ahenkora (Grace N. Rodgers).

National Library Week (April 7 - 13, 2024)

Mayor Janice S. Mironov proclaimed National Library Week April 7th to 13th, with the theme “There’s More to the Story” and recognized the important role of the two East Windsor library branches, Hickory Corner and Twin Rivers, of the Mercer County Library System. Mayor Mironov presented the Proclamation, along with Barnes and Noble gift certificates donated by Shiseido America, to Sharon Galbraith Ryer, Branch Manager of the Hickory Corner Library and Jeanne Murray, Branch Manager of the Twin Rivers Library branch, President of the Friends of the Library for Hickory Corner Library Debbie Scherholz and Vice President of the Friends of the Library for Twin Rivers Library Terry Goldstein.

Mayor Mironov stated, “Our libraries are an incredibly important focus and resource center here in East Windsor Township where groups can meet, residents have free access to books, newspapers and magazines, movies, music, digital materials, as well as use of computers. I am always excited to see how many people, young and old, embrace and utilize East Windsor’s two public libraries, the Hickory Corner Branch and the Twin Rivers Branch. Our libraries open doors to information, programs and opportunities, and are key building blocks of our democracy. I am proud to continue to support their efforts to serve the people of our community.”

The Mayoral Proclamation issued by Mayor Mironov states, “our public libraries provide all people with books, information, computers, videos, audio cassettes and other resources to enrich their lives.” The Proclamation continues, “Librarians provide the essential guidance and support needed by children, teenagers and adults alike in their search for knowledge and information, as well as their pursuit of avocational and leisure interests.”

Alcohol Awareness Month – April 2024

Mayor Janice S. Mironov, joined by Council Member Johnnie Whittington, proclaimed the month of April Alcohol Awareness Month and presented a Mayoral Proclamation and an \$ 1,100.00 grant check from the East Windsor Municipal Alliance for the Prevention of Substance Abuse grant to the East Windsor Regional School District Hightstown High School After Prom Committee, represented by After Prom Committee President Ed Hirschman and After Prom Party Committee Member Heather Ruina Isaacs.

Mayor Mironov stated, “Each year for Alcohol Awareness Month, we focus on the good work of our high school After Prom Committee which sponsors the After Prom event, providing students, on their special night, a fun and safe prom evening. Underage drinking is a serious and prevalent problem in all our communities, and it is important that we come together as a community to underscore the dangers of underage drinking and to enhance the safety of our citizens. The caring parents and community members of the After Prom Committee work hard to make this event a success and provide a safe and substance free environment for the young people in our community on their special prom night.”

The Mayoral Proclamation commends the East Windsor Regional School District Hightstown High School After Prom Committee noting, “the After Prom Committee has been providing an after-prom event for over thirty years, and during those years there have been no alcohol or drug related incidents on prom night.”

Mayor Mironov, thanked the After Prom Committee for all of their work, stating, “I know how much work goes into this event, not just the day of the event but all of the preparation that really begins the year before and all of the volunteers that help set everything up for a safe and fun event. Thank you for your good work for our high school students.

Yom Hashoah - Day of Remembrance of the Holocaust – (May 6, 2024)

Autism Awareness Month – April 2024

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for Boards and Commissions.

PUBLIC FORUM:

No one spoke during the public forum.

MINUTES:

The minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2024-03 An Ordinance Amending Chapter XIII”, Section 13-1, “Fees” 13-1, Uniform Construction Code Enforcing Agency”, Subsection 13-1.3 “Fee” of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2024-03
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AMENDING CHAPTER XIII, “BUILDING AND HOUSING,” SECTION 13-1,
“UNIFORM CONSTRUCTION CODE ENFORCING AGENCY”, SUBSECTION 13-1.3,
“FEES”, OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF EAST WINDSOR**

BE IT ORDAINED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey that the Revised General Ordinances of the Township of East Windsor is hereby amended and replaced as follows: Section 1. Chapter XIII “Building and Housing,” Section 13-1, “Uniform Construction Code Enforcing Agency,” Subsection 13-1.3., “Fees,” is hereby amended and supplemented as follows:

13-1 Uniform Construction Code Enforcing Agency.

13-1.3 Fees.

UNIFORM CONSTRUCTION CODE FEES

- a. Construction permit. The fee for a construction permit shall be the sum of subcode fees listed in Subsection A (1) through (8) and shall be paid before such permit is released. As used in this ordinance, the term “use” or “use group”, rehabilitation”, “repair”, “renovation”, “alteration”, and “reconstruction” shall mean those terms as defined in the State of New Jersey Uniform Construction Code, N.J.A.C. 5:23-1.4.

1. Building subcode fees shall be as follows:

- a. The minimum fee shall be \$85.00.
- b. For new construction or additions:
 - (1) Residential R-3/R-5: \$0.040 per cubic foot of building or structure volume, provided that the minimum fee shall be \$400.00.
 - (2) All other uses: \$ 0.050 per cubic foot of building or structure volume, provided that the minimum fee shall be \$600.00.
 - (3) Structures on farms, including commercial farms, the fee shall be: \$0.020 per cubic foot of building or structure volume, with a maximum fee of \$1,700.00.
- c. For repairs, renovations, alterations, or reconstruction:
 - (1) Residential R-3/R-5, \$75.00 for the first \$2,000.00 of estimated cost and \$3.00 per \$100.00 of estimated cost thereafter
 - (2) All other uses, \$300.00 for the first \$2,000.00 of estimated cost and \$4.00 per \$100.00 up to \$50,000.00, \$3.00 per \$100.00 for \$50,001.00-\$100,000.00, and \$2.50 per \$100.00 over \$100,000.00 of estimated cost thereafter.
- d. For a combination of repairs, renovations, alteration or reconstruction and additions, the fee shall be computed in accordance with Subsection A.1. (b) and (c). All fees payable pursuant to Subsection A.1. (b) and (c) above shall be rounded off to the nearest whole dollar and shall be in addition to any and all fees and surcharges mandated by the New Jersey Department of Community Affairs.
- e. For a plan review, the fee shall be:
 - (1) 20% of the cost of the permit.
 - (2) 20% of the cost of the fee for prototype plans.
- f. For a review of plans indicating a variation to the Code, the fee shall be:
 - (1) Class 1 structures: \$800.00.
 - (2) Class 2 and 3 structures: \$200.00.
 - (3) Class 3, R-5 structures: \$75.00.
 - (4) Resubmission of Class 1: \$300.00.
 - (5) Resubmission of Class 2 and 3: \$100.00.
 - (6) Resubmission of Class 3, R-5: no fee.
- g. For a review of applications limited to the following improvements/structures, the fee shall be:
 - (1) Roof or Siding
 - i. Residential R-5: \$75.00.
 - ii. All other uses: as set forth in A.1. (b) above.

(2)Sheds:

- i. Residential R-5: \$75.00.
- ii. All other uses: as set forth in A.1. (b) above.

(3)Decks and Raised Patios:

- i. Residential R-5: Cost based on \$0.50 per square foot of deck or raised patio surface per level, minimum \$400.00.
- ii. All other uses: as set forth in A.1. (b) above

(4)Photovoltaic (Solar) Systems:

- i. Residential R-5: Minimum of \$100.00 or \$25.00 per array whichever is greater.
- ii. All other uses: \$50 per kilowatt up to 50 kW, additional \$20.00 per kW above 50 kW.
- iii. Any rehabilitation work, such as increasing the structural ability of the capacity of members or the installation of footings, will be an additional fee calculated as set forth in A.1. (b) above based upon the cost of that specific rehabilitation work.

(5)Tents: (where a UCC permit is required)

- i. Residential R-5: \$75.
- ii. All other uses as set forth in A.(1)(b) above.

(6)Retaining Walls: (where a UCC permit is required)

- i. Residential R-5: \$1.75 per linear foot or part thereof, a minimum fee of \$75.00 for each individual retaining wall.
- ii. All other uses: \$2.50 per linear foot or part thereof, a minimum fee of \$100.00 for each individual retaining wall.

(7)Lead abatement:

- i. Residential R-5: \$75.00.
- ii. All other uses as set forth in A.1. (b) above.

(8)Asbestos abatement:

- i. \$125.00 for each asbestos hazard abatement project.
- ii. \$25.00 for each certificate issued following the successful completion of an asbestos hazard abatement project.

(9)Swimming Pools:

- i. Above ground \$200.00.
- ii. Inground \$500.00.
- iii. Public Pools \$750.00.

(10)Fences exceeding 6 feet or pool barrier:

- i. Residential R-5: \$100.00.
- ii. All other groups, \$5.00 per 10 ft or part thereof, minimum \$150.00.
- iii. When an existing fence becomes a poolbarrier, the above fees will

apply.

(11)Radon Remediation:

- i. Residential R-5: \$85.00.
- ii. All other uses as set forth in A.1. (b) above

(12)Signs:

- i. Wall or monument signs less than 400 square feet of surface area: \$3.00 per square foot of surface area; a minimum of \$250.00.
- ii. Wall or monument 400 square feet or greater of surface area: \$2.00 per square foot of surface area
- iii. New pylon sign with foundation shall be \$6.00 per square foot of surface area for the first 100 square feet; \$4.75 per square foot of surface area for 101 to 400 square feet; \$3.50 per square foot of surface area thereafter; minimum fee shall be \$250.00.

(13)Demolition

- i. Residential R-5: \$150.00.
- ii. Class 2 and 3 structures: \$300.00.
- iii. Class 1 structures: \$750.00.

(14)Relocating a structure/building:

- i. \$200.00 for the first \$1,000.00 cost plus \$10.00 for each \$1,000.00 cost thereafter
- ii. A new foundation system shall be \$0.040 per cubic foot for the foundation in addition to all other applicable UCC construction permit fees.

2. Electrical subcode fees for installation of the following:

- a. The minimum fee shall be \$85.00.
- b. Electrical fixtures and devices (15 to 20 amps)
 - (1)First 25 devices: \$55.00.
 - (2)Each 25 additional devices: \$25.00.
- c. Receptacles and switches (30 to 50 amps) \$25.00.
- d. Receptacles and switches (greater than 50 amps) \$85.00.
- e. Motors:
 - (1)1 to 10 hp motor \$35.00.
 - (2)11 to 50 hp motor \$75.00.
 - (3)51 to 100 hp motor \$150.00.
 - (4)Greater than 100 hp motor \$576.00.
- f. Transformers and generators:
 - (1)1 to 10 kw \$35.00.
 - (2)11 to 45 kw \$75.00
 - (3)46 to 112.5 kw \$150.00.

- (4) Greater than 112.5 kw \$576.00.
- g. Service Equipment
 - (1) 0 to 100 amps \$75.00 AC & DC.
 - (2) 101 to 200 amps \$105.00 AC & DC.
 - (3) 201 amps to 800 amps \$180.00 AC & DC.
 - (4) 801 amps and up \$580.00 AC & DC.
- h. Above-ground pools \$85.00.
- i. In-ground pools \$125.00.
- j. Pool underwater light \$15.00.
- k. Smoke detectors per dwelling unit (see electrical fixtures and devices).
- l. Light standards: commercial \$100.00, residential \$85.00 each.
- m. Hydro-massage tub \$85.00.
- n. Commercial alarm control \$15.00.
- o. Signs \$85.00.
- p. Replacement wiring per branch circuit \$25.00.
- q. Temporary pole connection (see service equipment)
- r. Annual pool inspection \$100.00.
- s. Photovoltaic systems (solar)
 - (1) 1 kw to 10 kw \$305.00.
 - (2) 10.01 kw to 30 kw \$465.00.
 - (3) 30.01 kw to 50 kw \$545.00.
 - (4) For every 5 kw over 50kw \$20.00 per kw.
- t. Residential HVAC \$85.00.
- u. Card readers, MAG locks, controlled access, CCTV (see fixtures and devices)

3. Fire Subcode fees shall be as follows:

- a. The minimum fee shall be \$85.00.
- b. Sprinklers heads:
 - (1) 1 to 20: \$75.00.
 - (2) 21 to 100: \$175.00.
 - (3) 101 to 200: \$300.00.
 - (4) 201 to 300: \$600.00.
 - (5) 301 to 500: \$900.00.
 - (6) 501 and over: \$1,500.00.
- c. Smoke alarms/detectors, heat detectors, carbon monoxide alarms/detectors:
 - (1) 1 to 20: \$75.00.
 - (2) 21 to 100: \$175.00.
 - (3) 101 to 200: \$300.00.
 - (4) 201 to 300: \$600.00.
 - (5) 301 to 500: \$900.00.

- (6)501 and over: \$1,500.00.
- d. Standpipes: \$325.00 for each riser.
- e. Kitchen exhaust commercial hood systems and spray booths: The fee for a permit to construct or install shall be \$150.00 for the first \$2,000.00 of estimated cost and \$2.25 per \$100.00 of estimated cost thereafter, provided that the minimum fee shall be \$150.00.
- f. Dry/wet alarm valves: \$75.00 each.
- g. Aboveground or underground storage tanks. The fee for a permit to install, remove or abandon shall be:
 - (1)Residential: \$75.00 for the first \$2,000.00 of estimated cost and \$1.50 per \$100.00 of estimated cost thereafter.
 - (2)Commercial: For installation, the fee shall be \$100.00 for the first \$2,000.00 of estimated cost and \$2.25 per \$100.00 of estimated cost thereafter. For removal or abandonment, the fee shall be \$100.00 for the first \$2,000.00 of estimated cost and \$1.50 per \$100.00 of estimated cost thereafter.
- h. Gas or oil-fired appliances:
 - (1)Residential: \$50.00 for the first \$2,000.00 of estimated cost and \$1.50 per \$100.00 of estimated cost thereafter.
 - (2)Commercial: \$100.00 for the first \$2,000.00 of estimated cost and \$2.25 per \$100.00 of estimated cost thereafter.
- i. Pre-engineered system: \$220.00 each.
- j. Incinerator: \$365.00.
- k. Crematorium: \$365.00.
- l. Pre-action Valves: \$150.00 each.
- m. Flammable and combustible liquid piping: The fee for a permit to construct or install shall be \$30.00 per \$1,000.00 of estimated cost, provided that the minimum fee shall be \$75.00.
- n. Smoke-control system: \$229.00.
- o. Wood, coal or solid fuel appliance: \$75.00 each.
- p. Water storage tank for fire protection: \$100.00 each.
- q. Underground water service for fire protection:
 - (1)1 foot to 500 feet of pipe: \$400.00.
 - (2)Each additional 100 feet of pipe: \$100.00.
- r. Private fire hydrants: \$80.00 each.
- s. Fire alarm panel replacement: \$125.00 each.
- t. Hose cabinets and stations: \$50.00 each.
- u. Fire pumps: \$300.00 each.
- v. Rooftop solar: residential R-3/R-5 \$75.00, commercial \$150.00.
- w. Exit signs: \$75.00.

x. Fire Extinguishers:

(1) 1 to 20: \$65.00.

(2) 21 to 50: \$75.00.

(3) 51 to 100: \$150.00.

(4) Every 10 extinguishers or portion thereafter: \$40.00.

4. Mechanical Fees shall be as follows:

The minimum fee shall be \$85.00.

Mechanical inspections within residential R-3 or R-5 structures shall be performed by a mechanical inspector. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical appliance inspected.

a. \$140.00 for complete HVAC replacement (f.a.c. hum.)

b. \$100.00 per zone for ductwork.

c. Appliance or equipment is as defined within the applicable referenced code established within N.J.A.C. 5:23-3 for residential R-3 or R-5 structures and shall include but not be limited to HVAC units, air handlers, condensers, air coils, metal chimneys, gas fireplaces, gas log appliances, water heaters, expansion tanks, chimney liners, oil fired appliances, gas fired appliances, pellet stoves, free standing fireplaces, wood heaters, refrigeration lines, radiant piping, hydronic piping, baseboard heaters, ranges, exhaust hoods or systems, clothes dryers, special appliances, etc.

5. Plumbing subcode fees shall be:

a. The minimum fee shall be \$85.00.

b. For the purpose of computing the fees below, fixtures, devices or stacks shall include, but not be limited to, lavatories, kitchen sinks, sinks, service sinks, urinals, bathtubs, water closets, laundry tubs, showers, floor drains, drinking fountains, dishwashers, garbage disposals, clothes washers, hose bibs, and backflow preventers not equipped with test ports or other similar devices.

c. The fee shall be \$20.00 for each plumbing fixture, piece of equipment, or appliance connected to the plumbing system, and for each appliance connected to the gas piping or oil piping system.

d. Water heaters \$80.00.

e. Roof drains \$50.00.

f. The fee shall be \$120.00 per special device which shall include but not be limited to grease traps, oil separators, refrigeration units, water & sewer connections, testable backflow assemblies, steam boilers, hot water boilers, HVAC equipment, active solar systems, sewer pumps, and interceptors.

g. Certification of backflow preventer devices that are subject to annual testing: \$75.00 per device, \$150.00 up to four devices, and \$75.00 for each additional device.

6. Elevator subcode fees shall be:

a. The fee for a permit to install an elevator device shall be a flat fee. The fee may vary for different types of inspections, tests, and elevator devices, per N.J.A.C. 5:23-4.18(g)l.

b. The categories of municipal elevator fees shall be identical to the categories of elevator fees listed in N.J.A.C. 5:23-12.6(a) and (b).

c. The fee for plan review for elevator devices in structures use group R-3, R-4, or R-5, and for elevators wholly in dwelling units in structure use group, R-2 shall be \$102.00, per N.J.A.C. 5:23-4.20(C)6.

d. **The fee for Plan Review for elevator devices in structures in use groups other**

than R-3, R-4 or R-5 shall be \$529.00, per N.J.A.C.5:23-4.20(c)7.

e. Acceptance test: For witnessing acceptance tests and performing inspections on new and altered elevator devices shall be as follows:

(1) The basic fee for elevator devices in structures not of Group R-3, R-4 or R-5 or in exempted structures of group R-2 shall be as follows:

i. Traction and winding drum elevators

1-10 floors \$493.00.

Over 10 floors \$822.00.

Hydraulic elevators \$438.00.

Roped hydraulic \$493.00.

Escalators, moving walks \$438.00.

Dumbwaiters \$110.00.

Stairway chairlifts, inclined and vertical wheelchair lifts with man lifts. \$110.00.

Additional charges for devices equipped with the following features shall be as follows:

(1) Oil buffers (charge per oil buffer) \$87.00.

(2) Counterweight governor and safeties \$219.00.

(3) Auxiliary power generator \$165.00.

f. The fee for witnessing acceptance tests for elevator devices in Use Group R-3 or R-4 or R-5 or otherwise exempt devices in structures of group R-2 shall be \$329.00 per N.J.A.C. 5:23-12.6(a)3.

g. The fee for witnessing acceptance tests of, and performing inspections of, minor work shall be \$110.00.

h. The fee for routine, six-month test and inspection of escalators shall be as follows (per N.J.A.C.5:23-12.6(b)2. i thru vii): Escalator and moving walk \$306.00.

i. The fees for the one-year periodic inspection and witnessing of tests of elevator devices, which shall include a six-month routine inspection, shall be:

(1) Traction and winding drum elevators:

1-10 floors \$438.00.

Over 10 floors \$525.00.

(2) Hydraulic elevators \$329.00.

(3) Roped hydraulic \$438.00.

(4) Escalators, moving walks \$702.00.

(5) Dumbwaiters \$174.00.

(6) Stairway chairlifts, inclined and vertical wheelchair lifts with man lifts. \$265.00.

j. Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

(1) Oil buffers (per buffer) \$87.00

(2) Counterweight governor and Safeties \$174.00.

(3) Auxiliary power generator \$110.00.

k. The fee for the three-year or five-year inspection of elevator devices shall be as follows:

- (1) Traction and winding drum elevators:
1-10 floors, five-year inspection \$744.00.
Over 10 floors, five-year inspection \$937.00
 - (2) Hydraulic elevators and roped hydraulic elevator:
Three-year inspection \$561.00.
Five-year inspection \$329.00.
- l. The fee for any reinspection of an elevator device shall be billed separately from the above fees upon the issuance of a Notice of Violation necessitating a reinspection.
- m. Reinspection of an elevator device \$294.00.
- 7. **Administrative Fees shall be as follows:**
 - a. For construction projects where the total cost of construction is \$100,000.00 or more, the fee for a priority plan review shall be charged at a rate of \$250.00 per discipline in addition to the applicable construction permit fee. Upon written request from the applicant or authorized agent of the applicant, the construction office will commence the plan review within 10 business days of receipt of a properly completed construction permit application that has received the required zoning approval. The per discipline fee shall not be applicable if the construction office is not able to commence the plan review within 10 business days. This section shall not apply to prototype plan review projects.
 - b. Off-hour inspections will be performed at a rate of \$125.00 per hour per inspector. A request for off-hour inspections must be made in writing stating the number of hours anticipated to be needed and submitted a minimum of 5 business days before the planned off-hour inspection is needed. The Township shall add an additional 2 hours due to inspector administrative-related work. Full payment is required before the off-hour inspection date.
 - c. Expedited inspections may be requested at a rate of \$125.00 per discipline for each discipline requested. Inspections will be performed within 24 hours of full payment and all requests must be in writing stating the specific inspection(s) desired.
 - d. A fee of \$0.25 per page shall be charged for copying of submitted application paperwork where the applicant has only submitted one of instead of the minimum two required documents. This shall only apply to items able to be copied in normal 8.5 X 11, 8.5 X 14 or 11 X 17-inch format. The applicant shall provide written authorization for the production of the copies. Payment is required at the time of the request.
 - e. For amendments or revisions to plans, the fee shall be as follows per discipline:
 - (1) Residential R-5: \$40.00 per hour.
 - (2) All other uses: \$200.00 per hour.
 - f. The fee for a change of contractor shall be \$50.00 for each discipline for which a contractor is modified
 - g. The fee for annual permits filed in accordance with the provisions of N.J.A.C. 5:23-2 shall be:
 - (1) 1 to 25 workers: \$850.00 per worker.
 - (2) Each worker over 25: \$300.00.
 - h. Where a permit application submitted results in a conflict of interest, as defined within N.J.A.C. 5:23-4.5, the construction office for which the location of the property has jurisdiction shall establish a procedure for which the application is

processed in full by another qualified construction office. The cost of this application shall be at the same rate as that of the office holding location jurisdiction plus an administrative fee as agreed upon between the two construction offices, payable to the construction office conducting the permit processing and inspections. All conflict applications shall have all permit documentation submitted to the jurisdiction for which the property is located.

- i. All monies collected from penalties and fines are to be kept by the construction department for general operation expenses, training, travel, unexpected expenses, etc.

8. Certificates required.

- a. Certificates of occupancy (“CO”). Fees for certificates of occupancy shall be required for all new buildings.

Residential.

- (1) Residential R-5: \$75.00.
- (2) Addition, R-5: \$50.00.
- (3) Garage (detached): \$50.00.
- (4) Residential units: \$50.00.
- (5) All other uses: \$200.00.
- (6) Each tenant: \$150.00.

- b. Temporary certificates of occupancy (“TCO”).

- c. The fee for each TCO shall be \$30.00. If the CO fee is paid when a permit was issued, the first TCO shall be issued at no additional charge. The fee for each subsequent TCO shall be \$30.00.

- d. Certificate of continued occupancy.

- (1) Residential R-5: \$100.00. If associated with work performed without a permit, the minimum subcode fee of \$85.00 shall apply, per section 13-1.3.1A.a.
- (2) All other uses: \$500.00.
- (3) Change of use: \$200.00.

Section 2. SEVERABILITY

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

Section 3. REPEAL

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

Section 4. EFFECTIVE DATE

This ordinance shall take effect after the publication of the final adoption, as provided by law.

Mayor Mironov stated the Ordinance was introduced at the March 26, 2024 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2024-03.

As there were no public comments, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Whittington to move the public hearing for Ordinance 2024-03 to May 28, 2024, as Council Members had questions as to some of the language in the Ordinance and requested the Township Attorney to review the Ordinance for the next meeting.

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

There was six (6) ayes and no (0) nays, to move the public hearing for Ordinance 2024-03 to May 28, 2024, as Council Members had questions as to some of the language in the Ordinance and requested the Township Attorney to review the Ordinance for the next meeting.

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

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.

Mayor Mironov stated the Ordinance was introduced at the April 9, 2024, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2024-04.

As there were no public comments, Mayor Mironov declared the public hearing closed.

It was MOVED by Katawick, SECONDED by Zoller to adopt Ordinance 2024-04 and authorize publication as required by law.

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

There being six (6) ayes and no (0) nays, Ordinance 2024-04 was adopted and publication authorized as required by law.

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.

Mayor Mironov stated the Ordinance was introduced at the April 9, 2024, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2024-05.

As there were no public comments, Mayor Mironov declared the public hearing closed.

It was MOVED by Zoller, SECONDED by Whittington to adopt Ordinance 2024-05 and authorize publication as required by law.

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

There being six (6) ayes and no (0) nays, Ordinance 2024-05 was adopted and publication authorized as required by law.

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.

Mayor Mironov stated the Ordinance was introduced at the April 9, 2024, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2024-06.

As there were no public comments, Mayor Mironov declared the public hearing closed.

It was MOVED by Katawick, SECONDED by Zoller to adopt Ordinance 2024-06 and authorize publication as required by law.

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

There being six (6) ayes and no (0) nays, Ordinance 2024-06 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

There were no Ordinances for Introduction.

RESOLUTIONS:

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

**RESOLUTION R2024-048
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, TC NE Metro Development Inc. c/o Trammell Crow Company, LLC. of 148-210 Princeton-Hightstown Road, requested dated November 15, 2023, a release of the performance guarantees being held by the Township for 148-210 Princeton-Hightstown Road; and

WHEREAS, Performance Bond No. 674213889 was issued by Trammell Crow Company in the amount of \$203,887.80 which represented ninety percent (90%) of the entire performance guarantee amount. In addition, a cash guarantee was posted, in the amount of \$22,654.20, which represented ten percent (10%) of the entire performance guarantee amount to cover the installation of perimeter buffer landscaping and improvements within the public rights of way; and

WHEREAS, the Township Engineer has inspected the site work for Innovation Park located at 148-210 Princeton-Hightstown Road and filed a written report with the Township Council dated December 5, 2023, which is attached hereto and made a part of this Resolution; and

WHEREAS, the Director of Finance has certified that all required charges and fees have been paid and satisfied; and

WHEREAS, the Township Council has reviewed the report and recommendations of the Township Engineer.

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 Township Council agrees to release, Performance Bond No. 6742 issued by Trammell Crow LLC. in the amount of \$203,887.80 and cash guarantee in the amount of \$22,654.20, upon the posting of a two-year maintenance bond in the amount of \$3,981.30 and inspection escrow of \$1,500.00 for maintenance bond release, in a form acceptable to the Township Attorney.
2. The Deputy Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of the Township Engineer's report to Trammell Crow LLC, 148-210 Princeton-Hightstown Road.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2024-048.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-048 was approved.

Resolution R2024-063 Reaffirm Creation of East Windsor “Green Team” Advisory Committee

**RESOLUTION R2024-063
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor strives to save tax dollars, assure clean land, air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially that will thrive and endure; and

WHEREAS, the Township Council of the Township of East Windsor wishes to establish governance which benefits our residents now and far into the future by exploring and adopting sustainable economically-sound local government and community practices; and

WHEREAS, by endorsing a sustainable path East Windsor Township is pledging to promote education and activities supporting sustainable local government and community practices; and

WHEREAS, preservation of open space and farmland, solar power, fleet purchasing and maintenance and municipal facilities and operations are all subjects of focus for the Township to do their share to lessen the environmental impact of its operations; and

WHEREAS, on February 8, 2011, by Resolution R2011-26, the Township Council created and established a Green Team Advisory Committee, and by Resolution R2015-027, adopted on February 3, 2015, the Township council reaffirmed the creation of the Green Team Advisory Committee and by Resolution R2018-036, adopted on February 6, 2018 the Township Council further reaffirmed the creation of the Green Team Advisory Committee, and once again by Resolution R2021-028, adopted on January 26, 2021, the Township Council reaffirmed the creation of the Green Team Advisory Committee.

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 Township Council, in furtherance of those objectives, hereby reaffirms the creation of a Green Team Advisory Committee (GTAC), to work toward Sustainable Jersey certification and to advise the Township on means to enhance municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.
2. The Goals and Objectives for the Green Team Advisory Committee are to include:
 - a. Promote recycling efforts
 - b. Preserve natural resources
 - c. Encourage water and energy conservation
 - d. Reduce environmental pollution
 - e. Identify alternative energy options
 - f. Suggested best practices for greener municipal operations
 - g. Increase public awareness regarding green initiatives through the development of educational programs and resources dedicated to green initiatives

- h. Explore possible resources such as grants and other financial incentives for green initiatives
3. The Mayor is hereby authorized to appoint the Green Team Advisory Committee (GTAC) consisting of up to twenty members who shall be residents, Township business people or employees of East Windsor Township.

It was MOVED by Zoller, SECONDED by Whittington to approve Resolution R2024-063.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-063 was approved.

Resolution R2024-064 Approval of Cooperative Pricing Agreement with the Lead Agency, for Participation in the New Jersey Cooperative Purchasing Alliance #CK04

**RESOLUTION R2024-064
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish Cooperative Pricing Systems and to enter into Cooperative Pricing Agreements, thereby enabling participation by other eligible contracting units; and

WHEREAS, the County of Bergen, hereinafter referred to as the “Lead Agency”, has offered voluntary and no-cost participation in the New Jersey Cooperative Purchasing Alliance # CK04, a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on April 30, 2024, the governing body of the Township of East Windsor, County of Mercer, State of New Jersey, duly considered participation in this Cooperative Pricing System for the provision and performance of goods and services; and

WHEREAS, the Township Council determines that it is in the interests of the residents and taxpayers of East Windsor Township for the Township to seek additional opportunities for more competitive pricing for the provision and performance of goods and services;

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 is hereby authorized and directed to execute a Cooperative Pricing Agreement with the Lead Agency, for participation in the New Jersey Cooperative Purchasing Alliance # CK04.
2. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the Revised Statutes of the State of New Jersey.
3. This resolution shall take effect immediately upon approval.

It was MOVED by Whittington, SECONDED by Katawick to approve Resolution R2024-064.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-064 was approved.

Resolution R2024-065 Approval of Agreement for Affordable Housing Administrative Agent Services with Community Grants, Planning and Housing

**RESOLUTION R2024-065
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exist a need for Affordable Housing Administrative Agent Services, for the term of January 1, 2024, through December 31, 2024, for the Township; and

WHEREAS, the Township posted/solicited proposal on October 12, 2023, and received one proposal for Affordable Housing Administrative Agent by the deadline of November 16, 2023; and

WHEREAS, the proposal received from Community Grants, Planning and Housing (CGP&H) was 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 maximum amount of the contract is \$11,500 and funds are available in the Affordable Housing Fund Account No A-22-56-852-852 entitled “Affordable Housing Trust,” as evidenced by the Chief Financial Officer’s Certification No. C2024-001.

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 attached Agreement between the Township of East Windsor and Community Grants, Planning and Housing, 1249 South River Road, Suite 301, Cranbury, NJ 08512 is hereby approved for a term commencing 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 as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.

4. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2024-065.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-065 was approved.

Resolution R2024-066 Approval of Agreement to Administer and Implement Township CDBG Small Cities Housing Rehabilitation Grant Program with Community Grant, Planning and Housing

**RESOLUTION R2024-066
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for professional services for the administration and implementation of the Township’s recent Housing Rehabilitation Grant from the Small Cities Program; and

WHEREAS, the Township received a proposal for these professional services from Community Grants, Planning and Housing (CGP&H), dated April 5, 2024, to provide turnkey services for compliance with approved federal grant program as well as all state regulations for the rehabilitation of affordable units; and

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

WHEREAS, the maximum amount of the contract is \$95,165 and funds are available in the Small Cities Grant Program Account No. G-02-40-950-969-023 entitled “2023 Small Cities Grant,” as evidenced by the Chief Financial Officer’s Certification No. G2024-004.

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 between the Township of East Windsor and Community Grants, Planning and Housing, 1249 South River Road, Suite 301, Cranbury, NJ 08512 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.
3. This Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.

4. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

It was MOVED by Katawick, SECONDED by Whittington to approve Resolution R2024-066.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-066 was approved.

Resolution R2024-067 Approving Filing of Grant Application to Mercer County for the East Windsor Municipal Alliance for the Prevention of Substance Abuse for the Term of July 1, 2024 through June 30, 2025

**RESOLUTION R2024-067
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Governor’s Council on Substance Use Disorder established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, East Windsor Township Council recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages, and therefore has established a Municipal Alliance Committee; and

WHEREAS, the Township of East Windsor desires to receive a grant from the County of Mercer for the East Windsor Municipal Alliance for the Prevention of Substance Abuse; and

WHEREAS, East Windsor Township has been approved for a Municipal Alliance Grant for the July 1, 2024 through June 30, 2025 grant term; and

WHEREAS, funding has been made available to East Windsor Municipal Alliance in the amount of \$28,424.00 for the period of July 1, 2024 to June 30, 2025, contingent upon meeting the 25% Cash Match amount of \$7,106.00 and the 75% In-Kind Match amount of \$21,318.00, which is a grant requirement for the funding.

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 and file a grant application on behalf of East Windsor Township to Mercer County for the East Windsor Municipal Alliance for the Prevention of Substance Abuse, in the amount of \$28,424.00, for the grant term of July 1, 2024, through June 30, 2025.

It was MOVED by Whittington, SECONDED by Russell to approve Resolution R2024-067.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-067 was approved.

Resolution R2024-068 Authorizing Purchase of Vehicle and Animal Control Carrier from Nielson Ford and Purchase and Installation of Emergency Equipment from Elite Vehicle Solutions, Inc. for Police Department

**RESOLUTION R2024-068
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase a replacement Animal Control Truck and Animal Carrier plus purchase and installation of emergency lighting and related equipment for the Police Department; and

WHEREAS, written quotes were solicited and two were received for the purchase of the truck and animal carrier; and

WHEREAS, the lowest responsive quote for the purchase of a truck and animal carrier combination was submitted by Nielsen Ford through State Contract No. 23-Fleet-34922, which is valid through October 24, 2024, in the amount of \$81,006.00; and

WHEREAS, three written quotes were solicited and obtained for the purchase and installation of the necessary emergency lighting and related equipment for the animal control vehicle; and

WHEREAS, the lowest responsive quote for the purchase and installation of emergency lighting and equipment for the animal control vehicle was submitted by Elite Vehicle Solution through State Contract No. #17- Fleet-00749, which is valid through May 13, 2024 in the amount of \$3,749.76; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the Township Council has reviewed the recommendation made by the Chief of Police; and

WHEREAS, the maximum amount of the purchase is \$84,755.76, and funds are available in Capital Account, entitled “Police-Acquisition Animal Control Vehicle (C-04-55-980-928-305),” in the amount of \$70,815.76 and the remaining amount from Capital Account, entitled “Animal Control Transportation Carrier Box (C-04-55-970-915-945),” in the amount of \$13,940.00, as evidenced by the Chief Financial Officer’s Certification No. 2024-011.

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 under State Contract No. 23-Fleet-34922 to Nielsen Ford, 170 Ridgedale Ave, Morrison, NJ 07960 in the amount not to exceed \$81,006.00 for the Animal Control Truck and Animal Carrier, as set forth in the attached quote.

2. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition under State Contract No. 17-Fleet- 00749 to Elite Vehicles Solutions 1000 Bennett Boulevard, Unit 6, Lakewood, NJ 08701 in the amount not to exceed \$3,749.76, as set forth in the attached quote.

It was MOVED by Katawick, SECONDED by Zoller to approve Resolution R2024-068.

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

There being six (6) ayes and no (0) nays, Resolution R2024-068 was approved.

Resolution R2024-069 Approval of East Windsor Township Anti-Idling Policy

**RESOLUTION R2024-069
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates; and

WHEREAS, numerous scientific studies have found links between exposure to fine particles and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders; and

WHEREAS, the United States Environmental Protection Agency has classified diesel exhaust as likely to be carcinogenic to humans; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, distribution centers, strip malls, construction sites, business centers, etc.) where New Jerseyans can be exposed to concentrated sources of air pollutant emissions; and

WHEREAS, asthma is a significant health concern in New Jersey, especially among children and the elderly; and

WHEREAS, the reduction of fine-particle emissions from diesel engines could also prevent large numbers of new asthma cases annually and could save significant costs for health care and related expenditures in the State; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicles engine because it wears engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning an engine off and on again; and

WHEREAS, current state law prohibits the idling of vehicles for more than three minutes and studies have shown that an anti-idling policy will save fuel, prolong engine life, and improve air quality.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, supports the adoption of an effective anti-idling policy by government agencies, schools, businesses, and other organizations by:

1. Enforcing violations and penalties under New Jersey's existing no-idling law pursuant to N.J.S.A. C. 39:3-70.2 and N.J.S.A. C. 26:2C-1;
2. Encouraging any gasoline or diesel-powered motor vehicle to turn off their engines immediately at schools and off-site school related events to minimize exposure of children to vehicle emissions;
3. Maintaining municipal vehicles to eliminate any visible exhaust and complying with the annual inspection requirement for those vehicles;
4. Promoting the widespread use of emission controls in construction contracts (for example, see the "diesel Emission Controls in Construction Projects; Model Contract Specification" developed by the Northeast Diesel Collaborative); and
5. Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2024-069.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-069 was approved.

Resolution R2024-070 Approval of Shared Services Agreement between Township of East Windsor and County of Mercer for Contribution to Public Transportation Services and Coordination of Transportation Services for the Use of FTA 5310 Vehicle for Term of July 1, 2023 through June 30, 2024

**RESOLUTION R2024-070
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township of East Windsor and the County of Mercer are desirous of providing public transportation services for their citizens; and

WHEREAS, the Township of East Windsor and the County of Mercer have agreed to provide matching local shares for bus services.

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

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 for Contribution Toward Bus Services and Coordination of Transportation Services for the Use of FTA Section 5310 Vehicle”, Agreement between the Township of East Windsor and the County of Mercer, for the term July 1, 2023 through June 30, 2024, is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2024-070.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-070 was approved.

Resolution R2024-071 Approval of Shared Services Agreement between Township of East Windsor and Borough of Hightstown for Contribution of Matching Local Share for Bus Services for term of July 1, 2023 through June 30, 2024

**RESOLUTION R2024-071
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township of East Windsor and the Borough of Hightstown are desirous of providing public transportation services for their citizens; and

WHEREAS, the Township of East Windsor and the Borough of Hightstown have agreed to provide matching local shares for bus services.

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

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 for Contribution of the Matching Local Share for Bus Services”, between the Township of East Windsor and the Borough of Hightstown, for the term of July 1, 2023 through June 30, 2024, is approved.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Zoller, SECONDED by Whittington to approve Resolution R2024-071.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-071 was approved.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF

Mr. Zoller noted that the Green Team Advisory Committee will be meeting on Thursday via Zoom and six members of the Environmental Commission attended a workshop training. Mr. Zoller also noted that Citizens Bank withdrew their Planning Board application.

CORRESPONDENCE:

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

APPOINTMENTS:

Resolution R2024-061 Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2024-061
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Matthew Kohut is hereby appointed as Member of the East Windsor Municipal Utilities Authority for a term expiring on February 1, 2027.

It was MOVED by Katawick, SECONDED by Zoller to approve Resolution R2024-061.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2024-061 was approved.

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.

It was MOVED by Zoller, SECONDED by Whittington to approve the various Bills lists.

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

Nays – None

There being six (6) ayes and no (0) nays, the various Bills lists were approved.

MATTERS BY COUNCIL:

Mayor Mironov advised she wanted an update on the elevator from the Director of Public Works.

Mayor Mironov noted that there is a memorial for former Councilman Alan Rosenberg on Saturday, May 4th.

Mayor Mironov noted that the Greenbrook Project has started and the Beechcroft Project is out to bid.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Anker Park: Surface for New Play Equipment

No update

2. Interfund Transfer List and Plan/ BAN Sale

No update

3. Heath Department State Grant Closeout

Received a memo from Assistant Township Manager Buckingham regarding the Health Department State Grant Closeout. Mayor Mironov and Council had no objections and advised Assistant Township Manager Buckingham to move forward.

4. 2024 Summer Concerts and Events

The Recreation Department will be providing Council with suggestions.

5. 2024 Municipal Budget and Budget Review Schedule

Awaiting Township Manager Tozzi and Chief Financial Officer Frueh to provide a draft budget. Council provided dates from May until the end of June for budget meetings.

MATTERS BY PUBLIC:

Ramon Gordon, Twin Rivers, advised that he has rats infesting his backyard along with his neighbors and believes it is from nearby construction. The Twin River Community Trust recommended that he reach out to the Township and that the Twin River Community Trust would also be writing a letter to the Township as well.

Gail Woller, Twin Rivers, asked the Township for help in taking care of the rat infestation and to get it under control. Recommended that an exterminator be hired.

Victor Encalada, Twin Rivers, noted he has taken many photos of dead rats.

Della Morales, Twin Rivers, very upset about the rat problem plaguing her neighborhood and that they need help. Advised of a chemical used in New York to kill rats.

Lisa Guerra, Twin Rivers, noted that they are on an East Windsor Facebook group and saw posts by people reporting lots of rats outside of a house. Even if the rats are killed, they still reproduce. A resolution regarding this is needed.

Rocio Espinoza, Twin Rivers, has been seeing rats since 2023. They are killing the birds and squirrels.

Mayor Mironov advised those in attendance that the Township Manager and Health Department have been in contact with Twin Rivers Community Trust regarding this issue and provided them with information and guidance on managing the issue. She suggested anyone affected to speak to Township Manager Tozzi to follow up.

ADJOURNMENT:

Next Meeting: May 28, 2024

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor