

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, May 28, 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 5:30 p.m. on Tuesday, May 28, 2024, at the East Windsor Municipal Building.

VERIFICATION:

Deputy Municipal Clerk Niven Raghieb certified that the meeting was noticed on January 28, 2024, in the Annual Meeting Notice. 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 Marc Platizky.

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 Deputy Municipal Clerk Niven Raghieb.

PRESENTATIONS & PROCLAMATIONS

National Gun Violence Awareness Day (June 7, 2024)

Mayor Mironov and Council were joined by members of the Mercer County Moms Demand Action. Mayor Mironov issued a Mayoral Proclamation recognizing June 7th as “National Gun Violence Awareness Day,” to raise awareness about the impacts of gun violence and to encourage responsible gun ownership and use.

The Mayoral Proclamation issued by Mayor Mironov states, “Americans are 26 times more likely to die by gun homicide than people in higher-income nations. The Township renews our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep all of our citizens and children safer.”

Mayor Mironov further stated, “Gun violence is a tragic reality nationwide, with more than 120 Americans killed each day. ‘National Gun Violence Awareness Day’, is an opportunity to focus together to honor and remember all victims and survivors of gun violence and to recommit ourselves to doing all that we can to reduce the impacts of senseless gun violence in our community and in our nation.” Mayor Mironov added, “Irregardless of anyone’s views, there are many things we all can agree on and do, such as responsibly using gun locks when storing weapons.”

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were no interviews for Boards and Commissions.

PUBLIC FORUM:

Michael Foley, 796 Windsor Perrineville Road, discussed his opposition to the closure of the volunteer rescue squads.

Brian Foley, 796 Windsor Perrineville Road, identified himself as Deputy Chief of Rescue Squad II and also discussed his opposition to the closure of the volunteer rescue squads.

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

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

(2) Sheds:

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

(3) Decks and Raised Patios:

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

(4) Photovoltaic (Solar) Systems:

- (a) Residential R-5: Minimum of \$100.00 or \$25.00 per array whichever is greater.
- (b) All other uses: \$50 per kilowatt up to 50 kW, additional \$20.00 per kW above 50 kW.
- (c) 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)

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

- (6) Retaining Walls: (where a UCC permit is required)
 - (a) Residential R-5: \$1.75 per linear foot or part thereof, a minimum fee of \$75.00 for each individual retaining wall.
 - (b) 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:
 - (a) Residential R-5: \$75.00.
 - (b) All other uses as set forth in A.1. (b) above.
- (8) Asbestos abatement:
 - (a) \$125.00 for each asbestos hazard abatement project.
 - (b) \$25.00 for each certificate issued following the successful completion of an asbestos hazard abatement project.
- (9) Swimming Pools:
 - (a) Above ground \$200.00.
 - (b) Inground \$500.00.
 - (c) Public Pools \$750.00.
- (10) Fences exceeding 6 feet or pool barrier:
 - (a) Residential R-5: \$100.00.
 - (b) All other groups, \$5.00 per 10 ft or part thereof, minimum \$150.00.
 - (c) When an existing fence becomes a poolbarrier, the above fees will apply.
- (11) Radon Remediation:
 - (a) Residential R-5: \$85.00.
 - (b) All other uses as set forth in A.1. (b) above
- (12) Signs:
 - (a) 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.
 - b) Wall or monument 400 square feet or greater of surface area: \$2.00 per square foot of surface area

- c) 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

- (a) Residential R-5: \$150.00.
- (b) Class 2 and 3 structures: \$300.00.
- (c) Class 1 structures: \$750.00.

(14) Relocating a structure/building:

- (a) \$200.00 for the first \$1,000.00 cost plus \$10.00 for each \$1,000.00 cost thereafter
- (b) 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) T301 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:

- (d) The minimum fee shall be \$85.00.
- (e) 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.
- (f) 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.
- (g) Water heaters \$80.00.
- (h) Roof drains \$50.00.
- (i) 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.
- (j) 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:

- (k) 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.
- (l) 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).
- (m) 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.
- (n) **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.**
- (o) **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:

(ii) 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.

(p) 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.

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

(i) 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.

(j) 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.

(k) 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.

- (l) 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.
- (m) 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.

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:
 - (a) 1 to 25 workers: \$850.00 per worker.
 - (b) Each worker over 25: \$300.00.
- (i) 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.
- (j) 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.

There were no comments. Mayor Mironov declared the public hearing closed.

It was MOVED by Lippman, SECONDED by Zoller to adopt Ordinance 2024-03 and authorize publication as required by law.

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

Nays – None

There being seven (7) ayes and no (0) nays, Ordinance 2024-03 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

Ordinance No. 2024-07

Ordinance Amending and Supplementing Chapter II, Administrative Code,” Section 2-35 “A Length of Service Award Program)” (Township Volunteer Emergency Service Organizations),” By Amending Subparagraph 2-35(a) and By Deleting Subparagraph 2-35(c)(2) of The Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2024-07
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, “ADMINISTRATIVE CODE,” SECTION 2-35 “A LENGTH OF SERVICE AWARDS PROGRAM (TOWNSHIP VOLUNTEER EMERGENCY SERVICE ORGANIZATIONS),” BY AMENDING SUBPARAGRAPH 2-35(a) AND BY DELETING SUBPARAGRAPH 2-35(C)(2) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR

WHEREAS, by Resolution R2023-088, adopted on June 6, 2023, the Township Council awarded a contract for full-time 24/7 emergency medical/ambulance services to Capital Health System, Inc., for a term commencing September 6, 2024; and

WHEREAS, as a result of the Township’s decision to utilize full-time 24/7 paid emergency medical/ambulance services for all of East Windsor Township, East Windsor Township Rescue Squad District 1, Inc. and East Windsor Township Rescue Squad District II, Inc. are no longer providing emergency medical services, mutual aid or first responder services on behalf of the Township;

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

I

1. Chapter II, Section 2-35(a) of the Revised General Ordinances of the Township of East Windsor is amended to read as follows:

2-35(a) A Length of Service Awards Program (LOSAP) is hereby created in accordance with Chapter 388 of the Laws of 1997, to reward members of East Windsor Volunteer Fire Co. #1, Inc., and East Windsor Volunteer Fire Co. #2, Inc., ~~East Windsor Rescue Squad District 1, Inc. and East Windsor Rescue Squad District II, Inc.~~ for their loyal, diligent, and devoted service to the residents of East Windsor Township. (deleted language indicated by ~~strikeouts~~ and new language indicated by underlining)

2. Chapter II, Section 2-35(c)(2) is deleted in its entirety.

**II
REPEAL**

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

III SEVERABILITY

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

IV EFFECTIVE DATE

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

It was MOVED by Zoller, SECONDED by Whittington to approve Ordinance 2024-07 on introduction, authorize publication as required by law and set public hearing for June 11, 2024.

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

Nays – None

There being seven (7) ayes and no (0) nays, Ordinance 2024-07 was approved on introduction, publication authorized as required by law, and public hearing set for June 11, 2024.

RESOLUTIONS:

Mayor Mironov stated Resolution R2024-072 and Resolution R2024-073 would be voted on as a block.

Resolution R2024-072 Approval of Agreement with Northgate Tenants Corporation for Reimbursement for Private Community Services for 2023

RESOLUTION R2024-072 EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, the Township Council of the Township of East Windsor and the Northgate Tenants Corporation wish to enter into an Agreement for private community services for the year 2023 in the amount of \$1,355.52 pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 4-01-26-325-802-253 entitled “Condo Services”, in the amount of \$1,355.52, as per the 2024 temporary budget and pending adoption of the 2024 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2024-013

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

1. The attached Agreement with Northgate Tenants Corporation for the year 2023 in the amount of \$1,355.52 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2024-073

Approval of Agreement with Windsor Meadows Homeowners Association for Reimbursement for Private Community Services for 2023

**RESOLUTION R2024-073
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Windsor Meadows Homeowners Association wish to enter into an Agreement for private community services for the year 2023 in the amount of \$1,186.08 pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 4-01-26-325-802-253 entitled “Condo Services”, in the amount of \$1,186.08, as per the 2024 temporary budget and pending adoption of the 2024 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2024-014

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

1. The attached Agreement with Windsor Meadows Homeowners Association for the year 2023 in the amount of \$1,186.08 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Lippman, SECONDED by Katawick to approve Resolution R2024-072 and Resolution R2024-073.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-072 and Resolution R2024-073 was approved.

Resolution R2024-074 Authorizing Purchase of Firefighter Equipment with 2022 American Rescue Plan Firefighters Grant Fund Balance for East Windsor Volunteer Fire Company No.1

**RESOLUTION R2024-074
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase replacement Firefighter turnout gear, for East Windsor Volunteer Fire Company No.1; and

WHEREAS, one quote was obtained to provide one Firefighter set of coats and pants; and three quotes were solicited for four sets of Firefighter boots; and

WHEREAS, the lowest cost proposal was submitted by Municipal Emergency Services, dealer of record for the Firefighter coats and pants; and Witmer Public Safety Group for the Firefighter boots; and,

WHEREAS, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

WHEREAS, the Township Council has reviewed the Chief of Police recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$6,548.57 and funds are available in 2022 ARP Firefighter Grant No. G-02-40--733-100-002 entitled Ordinance 2014-08 “Fire #1 Turn Out Gear”, as evidenced by the Chief Financial Officer’s Certification No. B2024-002

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

1. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to: Municipal Emergency Service (M.E.S.) P.O Box 856892 Minneapolis, Minnesota 55485, for one set of Firefighter coats and pants for

\$4,352.57, and Witmer Public Safety Group, Inc. 101 Independence way Coatesville, Pennsylvania 19320 for four sets of Firefighter boots for \$2,196.00, in a total amount not to exceed \$6,548.57, in accordance with the attached quotes.

It was MOVED by Daniels, SECONDED by Katawick to approve Resolution R2024-074.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-074 was approved.

Resolution R2024-075 Recognition of Capital Health System, Inc. as East Windsor, Township Sole Authorized Emergency Medical Services Provider

**RESOLUTION R2024-075
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2023-088, adopted on June 6, 2023, the Township Council awarded a contract for full-time 24/7 Emergency Medical/Ambulance Services to Capital Health System, Inc., for a term commencing September 6, 2024; and

WHEREAS, the Township Council has reviewed the report from the Chief of Police indicating that Capital Health System, Inc. has demonstrated the ability to provide Township-wide Emergency Medical/Ambulance Services in accordance with its contract; and

WHEREAS, the Township wishes to update its list of officially recognized emergency medical services providers that are authorized to respond to emergency calls, to provide emergency medical services in East Windsor Township and to participate in mutual aid emergency calls on behalf of the Township;

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 following entity only, is hereby recognized by East Windsor Township as being authorized to respond to emergency calls, to provide emergency medical services within East Windsor Township, and to participate in mutual aid emergency calls on behalf of the Township:

Capital Health System, Inc., 4750 Brunswick Avenue, Trenton, NJ 08638

2. This Resolution shall take effect immediately.
3. A copy of this Resolution, certified to be a true copy, shall be forwarded to
Capital Health Systems, Inc., East Windsor Township Rescue Squad District I,
Inc. and East Windsor Township Rescue Squad District II, Inc.

It was MOVED by Katawick, SECONDED by Whittington to approve Resolution R2024-075.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-075 was approved.

Resolution R2024-076 Action on Award of Contract for Improvements to Beechcroft and Connecting Streets Project

**RESOLUTION R2024-076
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for Improvements to Beechcroft Drive and Connecting Streets project; and

WHEREAS, a Notice to Bidders was issued, posted, and advertised on April 26, 2024 for the Improvements to Beechcroft Drive and Connecting Streets project; and

WHEREAS, nine bids were received on May 16, 2024 by the Municipal Clerk's Office; and

WHEREAS, the lowest responsible bid was submitted by S Brothers Inc.; and

WHEREAS, the Township Council has reviewed the recommendation made by the Township Engineer, T&M Associates on these bids; and

WHEREAS, the amount of the bid is for a maximum contract amount of \$806,000.92 and sufficient funds are available in Capital Fund Account C-04-55-980-928-891 entitled "NJDOT-Beechcroft Drive" in the amount of \$258,860.00 and Capital Fund Account C-04-55-980-928-892 entitled "NJDOT-Beechcroft Drive" in the amount of \$547,140.92, as evidenced by the Chief Finance Officer's Certification No. C2024-012.

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

1. The contract for the Improvements to Beechcroft Drive and Connecting Streets project, for a total contract amount not to exceed \$806,000.92, is awarded to S Brothers Inc. 16 Sobeckko Road, Manalapan, NJ 07726.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.

3. The Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder and the next lowest bidder, Jads Construction Co. of New Jersey, Inc, PO Box 513, South River, NJ 08882; upon the receipt of a fully executed contract.
4. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: Black Rock Enterprises, LLC., 1316 Englishtown Road, Old Bridge, NJ 08857; AJM Constructors, Inc., 300 Kuller Road, Clifton, NJ 07011; DeSantis Construction, Inc, PO Box 6030, Somerset, NJ 08875; Earle Asphalt Company, PO Box 556, Farmingdale, NJ 07727; Z Brothers Concrete Contractors, Inc., 304 Jerenee Mill Road, Sayreville, NJ 08872; A. Takton Concrete Corp., 13 Tice Avenue, South River, NJ 08882; Top Line Construction, Corp., 22 Fifth Street, Somerville, NJ 08876..

It was MOVED by Russell, SECONDED by Whittington to approve Resolution R2024-076 with revisions.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-076 was approved with revisions.

Resolution R2024-077 Approval of Shared Services Agreement between East Windsor Township and Hightstown Borough for Senior Services

**RESOLUTION R2024-077
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2023-064, adopted on May 9, 2023, the Township Council entered into a successor Agreement, with the Borough of Hightstown to continue the provision of Senior Program/Center Services, commencing on March 1, 2022, through February 28, 2023; and

WHEREAS, the parties desire to enter into another successor Agreement, commencing on March 1, 2023 through February 29, 2024, to continue the provision of Senior Program/Center Services by the Township to the Borough of Hightstown; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations on this 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 attached Shared Services Agreement between East Windsor Township and Hightstown Borough for Senior Program/Center Services is hereby approved for the period March 1, 2023, through February 29, 2024, in accordance with the provisions of N.J.S.A. 40:65-1.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Daniels, SECONDED by Russell to approve Resolution R2024-077.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2024-077 was approved.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF:

Council Member Russell advised 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. Council Person Russell also announced that the East Windsor Municipal Alliance collected forty-nine (49) pounds of medication from the medicine drop box located at the East Windsor Police/Court Building.

Council Member Zoller noted that the Environmental Commission met on Wednesday, May 15th. Two topics that were discussed were grant funding and Sustainable Jersey.

Council Member Whittington advised that the Recreation Commission will be holding meetings on May 30th and June 27th.

Mayor Mironov noted that the Township's Memorial Day parade was held on Monday, May 27th. Members of Council were in attendance.

CORRESPONDENCE:

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

APPOINTMENTS:

There were no appointments.

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.

Council Member Zoller needs clarification on the East Windsor Volunteer Fire Co. # 1 bills along with what the fees are for on Page 5 and 6 for the fire company on the 2024 Current Bill list.

Council Member Zoller would like an explanation of the telephone bills on Page 2 on the Current Bill List as the monthly bills are not consistent.

Mayor Mironov wanted an explanation of the alarm system on page 7 on the Current Bill List.

It was MOVED by Zoller, SECONDED by Katawick 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:

There were no Matters by Council discussed.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Anker Park: Surface for New Play Equipment
Resolution R2024-XX Action on Purchase and Installation of Surface for
New Play Equipment in Anker Park

The Resolution was carried to the next Council meeting.

2. New Jersey Department of Transportation FY 2025 Municipal Aid Roadway Projects

The grant application under FY25 Local Municipal Aid Program, Second Priority needs to be finalized as the due date for submittal is July 1st. Assistant Township Manager Buckingham is working on this matter. Mayor Mironov asked that this application and corresponding resolution be placed on the June 11th Council agenda.

3. One Mile Road Truck/Pedestrian Traffic Improvements

Mayor Mironov and Council suggested various traffic improvements to review.

4. Interfund Transfer List and Plan/ BAN Sale

Mayor Mironov needs an update on funds.

5. 2024 Municipal Budget and Budget Review Schedule

Mayor Mironov noted that due to everyone's schedule she is proposing June 5th, June 11th and June 18th for the 2025 Municipal Budget review and discussion.

MATTERS BY PUBLIC:

Hayley Goodman, Dimension Solar, provided an update on several solar projects in the area her company is working on.

ADJOURNMENT:

Next Meeting: June 11, 2024

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Deputy Municipal Clerk

Janice S. Mironov

Mayor