

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, March 11, 2025

5:30 p.m.

MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 5:38 p.m. on Tuesday, March 11, 2025, at the East Windsor Municipal Building.

VERIFICATION:

Municipal Clerk Quigley certified that the meeting was noticed on March 7, 2025, 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 Boy Scouts of America Troop 6284, Troop 5700 and Cub Pack 53.

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 Attorney Orron, Township Manager Joy Tozzi and Municipal Clerk Allison Quigley.

PRESENTATIONS & PROCLAMATIONS

Scouting Anniversary Week – (February 2-8, 2025)

Mayor Janice S. Mironov issued a Mayoral Proclamation recognizing Boy Scouting Anniversary Week, February 2 to 8, 2025. Mayor Mironov presented a Proclamation, accompanied by personal donations of support, to each of the three local Boy Scout troops and their Troop leaders: Boy Scout Troop 6284, Boy Scout Troop 5700 and Cub Pack 53.

The Mayoral Proclamation, noted that the Boy Scouts of America was officially founded in 1910 and celebrating its 115th anniversary, praised Boy Scouting as a “youth program of character development, value-based programs and leadership training.” The Proclamation further stated, “the Boy Scouts have continued to set an excellent example for all through their volunteerism, commitment to others, and dedication to bettering themselves and their communities.” Mayor Mironov’s Proclamation “expressed appreciation to and commended the outstanding work of the Boy Scout organization, their scout members, leaders and volunteers in our community.”

American Red Cross Month – March 2025

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Joel Rabanalaes was interviewed and expressed interest in Clean Communities or the Commission on Aging.

Addison Bandel, 10th Grade Student, was interviewed and expressed interest in the Health Advisory Board or the Environmental Commission.

PUBLIC FORUM:

No one spoke during the public forum.

MINUTES:

June 18, 2024

Minutes held pending revisions for next regularly scheduled meeting

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

ORDINANCE – PUBLIC HEARING:

Ordinance 2025-02

An Ordinance to Amend Chapter 5,”General Police Regulations to Incorporate the New Jersey Department of Environmental Protection Regulations for Privately-Owned Salt Storage, of the Revised General Ordinances of the Township of East Windsor

ORDINANCE NO. 2025-02 TOWNSHIP OF EAST WINDSOR COUNTY OF MERCER

AN ORDINANCE TO ADOPT A PORTION OF CHAPTER 5, “GENERAL POLICE REGULATIONS”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR, TO INCORPORATE THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGULATIONS FOR PRIVATELY-OWNED SALT STORAGE

WHEREAS, the Township of East Windsor has a Tier A Municipal Stormwater General Permit issued by the New Jersey Department of Environmental Protection (NJDEP) which authorizes the discharge of stormwater from municipal storm sewers; and

WHEREAS, the NJDEP has revised the Tier A Municipal Stormwater General Permit requirements to require municipalities to adopt to adopt a Privately-Owned Salt Storage Ordinance; and

WHEREAS, the Township is required to adopt a Privately-Owned Salt Storage Ordinance to comply with NJDEP's regulatory revisions.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of East Windsor as follows:

Section 1. Chapter 5, "*General Police Regulations,*" of the Revised General Ordinances of the Township of East Windsor is amended by the addition of a new subsection 5-24 to read as follows:

Section 5-24. Privately-Owned Salt Storage

5-24.1 Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in East Windsor Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

5-24.2 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 3. The structure shall be erected on an impermeable slab;
 4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

5-24.3 Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;

- d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. All temporary and/or permanent structures utilized for the storage of deicing materials must also comply with all other ordinances, including, but not limited to, building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

- 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

5-24.4 Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within two (2) weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

5-24.5 Enforcement:

This ordinance shall be enforced by the East Windsor Township Police Department and the Director of Public Works, or his/her designee, during the course of ordinary enforcement duties.

5-24.6 Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as per Chapter 5-2.5.1 of the Township Code.

Section 2. Repealer. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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.

Section 4. Effective Date. This Ordinance shall take effect 20 days after final passage and publication according to law.

Mayor Mironov stated the Ordinance was introduced at the February 25, 2025, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2025-02.

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

It was MOVED by Lippman, SECONDED by Whittington to adopt Ordinance 2025-02 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 2025-02 was adopted and publication authorized as required by law.

Ordinance 2025-03

An Ordinance Amending and Supplementing Chapter 12A, “Protection, Maintenance and Removal of Trees,” Section 12A-2 “Definitions,” Subsection 12A-5”Tree Removal Permits”, Section 12A-8 “Criteria for Tree Removal without Replacement Trees,” of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2025-03
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
12A, “PROTECTION, MAINTENANCE AND REMOVAL OF TREES,”
SECTION 12A-2 “DEFINITIONS,” SUBSECTION 12A-5 “TREE
REMOVAL PERMITS”, AND SECTION 12A-8 “CRITERIA FOR TREE
REMOVAL WITHOUT REPLACEMENT TREES’, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR**

WHEREAS, the Township of East Windsor has a Tier A Municipal Stormwater General Permit issued by the New Jersey Department of Environmental Protection (NJDEP) which authorizes the discharge of stormwater from municipal storm sewers; and

WHEREAS, the NJDEP has revised the Tier A Municipal Stormwater General Permit requirements regarding tree removal and replacement; and

WHEREAS, the Township is required to update Section 12A, “*Protection, Maintenance and Removal of Trees*,” of the Revised General Ordinances of the Township of East Windsor to incorporate NJDEP’s regulatory revisions.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of East Windsor as follows:

Section 1. Section 12A, “*Protection, Maintenance and Removal of Trees*,” of the Revised General Ordinances of the Township of East Windsor is amended as follows [new language is underlined and deleted language is indicated by ~~strikeout~~]:

1. Section 12A-2, “*Definitions*,” is amended to add the following:

PERSON Shall mean any individual, resident, corporation, utility, company, partnership, firm, or association.

2. Section 12A-5, “*Tree Removal Permits*,” Subsection 12A-5.d, “*Exemptions from Chapter*,” is amended and supplemented as follows:

12A-5.d. *Exemptions from Chapter.*

2. Removed in accordance with a “management plan” approved by the New Jersey Department of Environmental Protection or similar State or Federal agency. This includes any trees removed as part of a municipal or state decommissioning plan, a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan.

8. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality.

3. Section 12A-8, “*Criteria for Tree Removal Without Replacement Trees*,” Subsection 12A-8.b, “*Other Exemptions*,” is amended and supplemented as follows:

12A-8.b. *Other Exemptions.*

~~1. If the application is for a development for which a building permit to construct a new single or two-family dwelling on an individual lot is required, up to 50 percent of the number of trees on an individual lot may be removed for the purpose of clearing for the proposed building, driveway(s), septic fields, and usable yard space on the building lot(s) only, without replacement trees being required.~~

1. Residents who remove less than four trees per acre that fall into category 1, 2, or 3 of Section 12A-7 within a five-year period. (The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if one tree from category 1 is removed in July 2023 and another in July of 2025, the first tree will come off the count in July 2028 and the second in July 2030.)

Section 2. Repealer. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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.

Section 4. Effective Date. This Ordinance shall take effect 20 days after final passage and publication according to law.

Mayor Mironov stated the Ordinance was introduced at the February 25, 2025, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2025-03.

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

It was MOVED by Daniels, SECONDED by Whittington to adopt Ordinance 2025-03 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 2025-03 was adopted and publication authorized as required by law.

Ordinance 2025-04

An Ordinance Amending and Supplementing Chapter 22-10A, “Stormwater Control,” of the Revised General Ordinances of the Township of East Windsor

**ORDINANCE NO. 2025-04
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 22-10A, “STORMWATER CONTROL”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR

WHEREAS, the Township of East Windsor has a Tier A Municipal Stormwater General Permit issued by the New Jersey Department of Environmental Protection (NJDEP) which authorizes the discharge of stormwater from municipal separate storm sewer systems (MS4).

WHEREAS, the NJDEP has revised the Tier A Municipal Stormwater General Permit requirements regarding stormwater regulations, in order to establish the minimum standards and expectations to minimize pollution caused by stormwater and to restore, enhance and maintain the integrity of State Open Waters; and

WHEREAS, the Township is required to update Section 22-10A, “*Stormwater Control*” of the Revised General Ordinances of the Township to incorporate NJDEP’s regulatory revisions

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of East Windsor as follows:

Section 1. Section 22-10A, “*Stormwater Control*” of the Revised General Ordinances of the Township of East Windsor is amended as follows [new language is underlined and deleted language is indicated by ~~strikeout~~]:

1. Section 22-10A.1.c. “*Applicability*,” is amended and supplemented as follows

1. This section shall be applicable to ~~the following major developments~~ to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:
 - (a) Non-residential major developments; and
 - (b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
3. An application required by ordinance pursuant to C.1 above that has been submitted prior to the effective date of Ordinance No. 2025-04 shall be subject to the stormwater

management requirements in effect on the day prior to the effective date of Ordinance No. 2025-04.

4. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.
2. Section 22-10A.5. "Calculation of Stormwater Runoff and Groundwater Recharge" is amended and supplemented as follows:

- a. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using ~~one of~~ the following methods:

- (a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://www.nrcs.usda.gov/Internet/FSEDOCUMENTS/stelprdb1044171.pdf>

or

<https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/new-jersey>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

~~(b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:~~

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. ~~For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at § 22-10A.5.A1(a) and the Rational and Modified Rational Methods at § 22-10A.5a1(b). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).~~
2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section 22-10A.5.a(1). A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- c. The precipitation depths of the current two-year, 10-year, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
 1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

<u>County</u>	<u>Current Precipitation Adjustment Factors</u>		
	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>100-year Design Storm</u>
<u>Atlantic</u>	<u>1.01</u>	<u>1.02</u>	<u>1.03</u>
<u>Bergen</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Burlington</u>	<u>0.99</u>	<u>1.01</u>	<u>1.04</u>
<u>Camden</u>	<u>1.03</u>	<u>1.04</u>	<u>1.05</u>
<u>Cape May</u>	<u>1.03</u>	<u>1.03</u>	<u>1.04</u>
<u>Cumberland</u>	<u>1.03</u>	<u>1.03</u>	<u>1.01</u>
<u>Essex</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Gloucester</u>	<u>1.05</u>	<u>1.06</u>	<u>1.06</u>
<u>Hudson</u>	<u>1.03</u>	<u>1.05</u>	<u>1.09</u>
<u>Hunterdon</u>	<u>1.02</u>	<u>1.05</u>	<u>1.13</u>
<u>Mercer</u>	<u>1.01</u>	<u>1.02</u>	<u>1.04</u>
<u>Middlesex</u>	<u>1.00</u>	<u>1.01</u>	<u>1.03</u>
<u>Monmouth</u>	<u>1.00</u>	<u>1.01</u>	<u>1.02</u>
<u>Morris</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Ocean</u>	<u>1.00</u>	<u>1.01</u>	<u>1.03</u>
<u>Passaic</u>	<u>1.00</u>	<u>1.02</u>	<u>1.05</u>
<u>Salem</u>	<u>1.02</u>	<u>1.03</u>	<u>1.03</u>
<u>Somerset</u>	<u>1.00</u>	<u>1.03</u>	<u>1.09</u>
<u>Sussex</u>	<u>1.03</u>	<u>1.04</u>	<u>1.07</u>
<u>Union</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Warren</u>	<u>1.02</u>	<u>1.07</u>	<u>1.15</u>

- d. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-year, 10-year, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-year, 10-year, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-year, 10-year, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

	<u>Future Precipitation Change Factors</u>		
	<u>2-year</u> <u>Design Storm</u>	<u>10-year</u> <u>Design Storm</u>	<u>100-year</u> <u>Design Storm</u>
<u>Atlantic</u>	<u>1.22</u>	<u>1.24</u>	<u>1.39</u>
<u>Bergen</u>	<u>1.20</u>	<u>1.23</u>	<u>1.37</u>
<u>Burlington</u>	<u>1.17</u>	<u>1.18</u>	<u>1.32</u>
<u>Camden</u>	<u>1.18</u>	<u>1.22</u>	<u>1.39</u>
<u>Cape May</u>	<u>1.21</u>	<u>1.24</u>	<u>1.32</u>
<u>Cumberland</u>	<u>1.20</u>	<u>1.21</u>	<u>1.39</u>
<u>Essex</u>	<u>1.19</u>	<u>1.22</u>	<u>1.33</u>
<u>Gloucester</u>	<u>1.19</u>	<u>1.23</u>	<u>1.41</u>
<u>Hudson</u>	<u>1.19</u>	<u>1.19</u>	<u>1.23</u>
<u>Hunterdon</u>	<u>1.19</u>	<u>1.23</u>	<u>1.42</u>
<u>Mercer</u>	<u>1.16</u>	<u>1.17</u>	<u>1.36</u>
<u>Middlesex</u>	<u>1.19</u>	<u>1.21</u>	<u>1.33</u>
<u>Monmouth</u>	<u>1.19</u>	<u>1.19</u>	<u>1.26</u>
<u>Morris</u>	<u>1.23</u>	<u>1.28</u>	<u>1.46</u>
<u>Ocean</u>	<u>1.18</u>	<u>1.19</u>	<u>1.24</u>
<u>Passaic</u>	<u>1.21</u>	<u>1.27</u>	<u>1.50</u>
<u>Salem</u>	<u>1.20</u>	<u>1.23</u>	<u>1.32</u>
<u>Somerset</u>	<u>1.19</u>	<u>1.24</u>	<u>1.48</u>
<u>Sussex</u>	<u>1.24</u>	<u>1.29</u>	<u>1.50</u>
<u>Union</u>	<u>1.20</u>	<u>1.23</u>	<u>1.35</u>

<u>Warren</u>	<u>1.20</u>	<u>1.25</u>	<u>1.37</u>
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3. Section 22-10A.6. Sources for Technical Guidance is amended and supplemented as follows:

~~a. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:~~

~~<http://www.nj.gov/dep/stormwater/bmp-manual2.htm>.~~

~~— 1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.~~

~~— 2. Additional maintenance guidance is available on the Department's website at:~~

~~<https://www.njstormwater.org/maintenance-guidance.htm>.~~

~~b. Submissions required for review by the Department should be mailed to:~~

~~The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.~~

a. Technical guidance for stormwater management measures can be found in the documents listed at paragraphs 1 and 2 below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.

2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.

b. Additional technical guidance for stormwater management measures can be obtained from the following:

1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;

2. The Rutgers Cooperative Extension Service, (732) 932-9306; and

3. The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, (609) 292-5540.

Section 2. Repealer. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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.

Section 4. Effective Date. This Ordinance shall take effect 20 days after final passage and publication according to law.

Mayor Mironov stated the Ordinance was introduced at the February 25, 2025, meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2025-04.

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

It was MOVED by Zoller, SECONDED by Russell to adopt Ordinance 2025-04 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 2025-04 was adopted and publication authorized as required by law.

ORDINANCE – INTRODUCTION:

Ordinance 2025-05

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

**ORDINANCE NO. 2025-05
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.

I. 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:
2. Residential R-3/R-5: \$0.040 per cubic foot of building or structure volume, provided that the minimum fee shall be \$400.00.
 3. All other uses: \$ 0.050 per cubic foot of building or structure volume, provided that the minimum fee shall be \$600.00.
 4. 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.
 - a. For repairs, renovations, alterations, or reconstruction:
 1. Residential R-3/R-5, \$100.00 for the first \$1,000.00 of estimated cost and \$5.00 per \$100.00 of estimated cost thereafter
 2. All other uses, \$250.00 for the first \$1,000.00 of estimated cost and \$50.00 per \$1000.00 of estimated cost thereafter.
 - b. 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.

c. 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.

d. 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.

e. For a review of applications limited to the following improvements/structures, the fee shall be:

1. Roof or Siding
 - (a) As set forth in A.1.c
 - (b) All other uses: as set forth in A.1. c 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) As set forth in A.1.c.
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.
 - (c)
- 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) As set forth in A.1.c.
- 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.

5. 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)

6. 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: Flat fee of \$150.00
 - (2) Commercial: Flat fee of \$250.00.
- (h) Gas or oil-fired appliances:
 - (1) Residential: \$85.00 per device.
 - (2) Commercial: \$150.00 per device.
- (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. Flat fee of \$150.00 per 100.

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 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, HVAC units, etc. shall each have a fee of \$85.00 per device.

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.

(p) 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

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.

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 required two 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 structures.
Residential.
 - (1) Residential R-3/R-5: \$100.00.
- (b) All other use groups \$200.00.
 - (1) Residential units: \$50.00.
 - (2) Each tenant: \$150.00.
- (c) The fee for each TCO
 - (1) R-3/R-5 is \$100.00 for the first, \$200.00 each after..
 - (2) All other use groups \$250.00 and \$500.00 for each after.

(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.

It was MOVED by Katawick, SECONDED by Zoller to approve Ordinance 2025-05 on introduction, authorize publication as required by law and set public hearing for March 25, 2025.

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

Nays – None

There being seven (7) ayes and no (0) nays, Ordinance 2025-05 was approved on introduction, publication authorized as required by law, and public hearing set for March 25, 2025.

RESOLUTIONS:

Mayor Mironov stated Resolution R2025-050 through R2025-054 would be voted on as a block.

Resolution R2025-050

Approval of Agreement with Riviera at East Windsor Homeowners Association for Reimbursement for Private Community Services for 2024

RESOLUTION R2025-050

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Riviera at East Windsor Homeowners Association wish to enter into an Agreement for private community services for the year 2024 in the amount of \$12,368.38 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. 5-01-26-325-802-253 entitled “Condo Services”, in the amount of \$12,368.38, as evidenced by the Chief Financial Officer’s Certification No. B2025-009.

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 Riviera at East Windsor Homeowners Association for the year 2024 in the amount of \$12,368.38 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2025-051

Approval of Agreement with Stonegate Homeowners Association for Reimbursement for Private Community Services for 2024

RESOLUTION R2025-051

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Stonegate Homeowners Association wish to enter into an Agreement for private community services for the year 2024 in the amount of \$2,650.76 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. 5-01-26-325-802-253 entitled “Condo Services”, in the amount of \$2,650.76, as evidenced by the Chief Financial Officer’s Certification No. B2025-010.

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

1. The attached Agreement with Stonegate Homeowners Association for the year 2024 in the amount of \$2,650.76 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2025-052 Approval of Agreement with Twin Rivers Homeowners Association for Reimbursement for Private Community Services for 2024

RESOLUTION R2025-052

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Twin Rivers Homeowners Association wish to enter into an Agreement for private community services for the year 2024 in the amount of \$18,914.12 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. 5-01-26-325-802-253 entitled “Condo Services”, in the amount of \$18,914.12, as evidenced by the Chief Financial Officer’s Certification No. B2025-011.

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 Twin Rivers Homeowners Association for the year 2024 in the amount of \$18,914.12 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2025-053 Approval of Agreement with Westfield Homeowners Association for Reimbursement for Private Community Services for 2024

RESOLUTION R2025-053

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Westfield Road Homeowners Association wish to enter into an Agreement for private community services for the year 2024 in the amount of \$602.64 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. 5-01-26-325-802-253 entitled “Condo Services”, in the amount of \$602.64, as evidenced by the Chief Financial Officer’s Certification No. B2025-053.

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 Westfield Road Homeowners Association for the year 2024 in the amount of \$602.64 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Resolution R2025-054

Approval of Agreement with Windsor Mill Homeowners Association for Reimbursement for Private Community Services for 2024

RESOLUTION R2025-054

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Windsor Mill Condominium Association wish to enter into an Agreement for private community services for the year 2024 in the amount of \$12,398.18 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. 5-01-26-325-802-253 entitled “Condo Services”, in the amount of \$12,398.18, as evidenced by the Chief Financial Officer’s Certification No. B2025-013.

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 Windsor Mill Condominium Association for the year 2024 in the amount of \$12,398.18 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Katawick, SECONDED by Whittington to approve Resolution R2025-050 through Resolution 2025-054 in a Block Vote.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-050 through Resolution 2025-054 were approved by block vote.

Resolution R2025-055

Action on Award of Contract for Township Independence Day Fireworks

RESOLUTION R2025-055

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a desire to award a contract for the Independence Day fireworks display scheduled on Saturday, July 5, 2025 with a rain date scheduled for Saturday, July 12, 2025, to be held at Etra Lake Park in the Township of East Windsor; and

WHEREAS, three quotes were solicited and obtained to provide this service; and

WHEREAS, the most responsive cost proposal was submitted by Schafer Fireworks; 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 Township Recreation Director's recommendation on this service; and

WHEREAS, the maximum amount of the contract is \$16,500.00 and funds are available in the Recreation Trust Account No. R-14-19-370-800-000 entitled "Recreation Events", as evidenced by the Chief Financial Officer's Certification No. T2025-01.

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: Schafer Fireworks, PO Box 100, Strasburg, PA 17579 for the Independence Day fireworks display scheduled for Saturday, July 5, 2025, with a rain date scheduled for Saturday, July 12, 2025, in an amount not to exceed \$16,500.00.

2. The Fire Official is authorized subject to compliance with all applicable regulations to issue said permit pursuant to section 5:18-2.7(a) 5.iii. of the Uniform Fire Code of the State of New Jersey, and to enforce the time limit on discharge of fireworks.

It was MOVED by Lippman, SECONDED by Daniels to approve Resolution R2025-055.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-055 was approved.

Resolution R2025-056 Appointment of an Alternate Commissioner to the Mid Jersey
Municipal Joint Insurance Fund

RESOLUTION R2025-056

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of
East Windsor, in the County of Mercer, State of New Jersey, that pursuant to
the requirements of the Mid Jersey Municipal Joint Insurance Fund, that Assistant Township
Manager Omar Buckingham is hereby designated as Alternate Fund Commissioner for East
Windsor Township to the Mid Jersey Municipal Joint Insurance Fund and is hereby authorized.

It was MOVED by Zoller, SECONDED by Katawick to approve Resolution R2025-056.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-056 was approved.

Resolution R2025-057 Approving Temporary Budget Appropriations

RESOLUTION R2025-057

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2025-008, adopted on January 14, 2025, the Township Council established a Temporary Budget for 2025, in the amount of \$5,843,948.61 for current fund plus \$680,375.00 for Garbage District No.1 for a total amount of \$6524,323.61; and

WHEREAS, an emergent condition has arisen with respect to municipal operating expenses until the official budget is adopted and no adequate provision has been made in the 2025 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for emergency temporary appropriations for this purpose; and

WHEREAS, this appropriation increases the 2025 Temporary Budget for the Current Fund from \$5,843,948.61 by \$4,910,366.00 for a total amount of \$10,754,314.61, and increases Garbage District No. 1 temporary appropriations from \$680,375.00 by \$385,500.00 for a total amount of \$1,065,875.00, resulting in emergency temporary appropriations adopted in 2025 in the total amount of \$11,820,189.61 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20).

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 in accordance with the provisions of N.J.S.A. 40A:4-20:

1. The attached additional Emergency Temporary Appropriations are hereby made to increase the 2025 Temporary Budget for the Current Fund from \$5,843,948.61 by \$4,910,366.00 for a total amount of \$10,754,314.61, and increases Garbage District No. 1 temporary appropriations from \$680,375.00 by \$385,500.00 for a total amount of \$1,065,875.00.
2. These emergency temporary appropriations are being provided for in the 2025 budget.
3. One certified copy of this Resolution shall be filed with the Director of Local Government Services.

It was MOVED by Lippman, SECONDED by Russell to approve Resolution R2025-057.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-057 was approved.

Resolution R2025-058

Approval of Emergency Use Water Supply Interconnection Agreement between Hightstown Borough and East Windsor Municipal Utilities Authority

RESOLUTION R2025-058

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Municipal Utilities Authority (“EWMUA”) owns and operates a public community water system which provides potable water to the residents of the Township of East Windsor (“Township”); and

WHEREAS, the Borough of Hightstown (“Borough”) owns and operates a municipal water system which provides potable water to the residents of Hightstown; and

WHEREAS, the Water Supply Management Act rules, N.J.A.C. 7:19-1, et seq., (“Rules”) permit the interconnection of adjacent water supply systems; and

WHEREAS, both the EWMUA and the Borough have the capacity to supply water to the other during emergencies; and

WHEREAS, there presently exists an interconnection between EWMUA and the Borough, which the parties maintain for use in the time of emergency; and

WHEREAS, the Rules require there shall be a written agreement between interconnected systems, specifying the conditions for use of such interconnection, and that such Agreement shall be filed with, and approved by, the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, it is the intention of the Parties to memorialize in this Agreement the prior agreement of the Parties as it pertains to the use, maintenance, and repair of the existing interconnection in order to comply with the Rules; 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, that in accordance with the provisions of N.J.S.A. 40A:4-20:

4. The attached Emergency Use Water Supply Agreement between the East Windsor Municipal Utilities Authority and the Borough of Hightstown is hereby approved.
5. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

It was MOVED by Daniels, SECONDED by Katawick to approve Resolution R2025-058.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-058 was approved.

Resolution R2025-059 Action on Award of Contract for Resurfacing of Dutch Neck Road and Dorchester Drive

RESOLUTION R2025-059

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the Resurfacing of Dutch Neck Road from the West Windsor border to Hickory Corner Road and Dorchester Drive from Dutch Neck Road south to the end; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on February 7, 2025 for the Resurfacing of Dutch Neck Road and Dorchester Drive; and

WHEREAS, nine bids were received on March 4, 2025 by the Municipal Clerk's Office; and

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

WHEREAS, the Township Council has reviewed the recommendation of the Project Engineer; and

WHEREAS, the maximum amount of the contract is \$902,468.50 and sufficient funds are available in Account No. V-20-56-852-856, in the interim pending and conditioned upon the proper budgeting of the FY24 NJDOT Municipal Aid Program FA-2024 MA East Windsor Township Dutch Neck Road and Dorchester Drive Resurfacing 11 grant award in the amount of \$382,968, and the LA-2025 LAIF East Windsor Township East Windsor Township Dutch Neck Road and Dorchester Drive grant award in the amount of \$1,000,000, as evidenced by the Chief Finance Officer's Certification No. C2025-007.

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 Resurfacing of Dutch Neck Road and Dorchester Drive for a total contract amount not to exceed \$902,468.50, is awarded to Meco, Inc., PO Box 536, Clarksburg, NJ 08510.
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, CCM Contracting, Inc., 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: Lucas Brothers, Inc.; Earle Asphalt Company; Black Rock Enterprises; Richard T. Barrett Paving Co., Inc.; P&A Construction, Inc.; Top Line Construction Corp., and S. Brothers, Inc.

Mayor Mironov requested the Resolution be revised to include the condition of proper budgeting of the grant awards for this project.

It was MOVED by Zoller, SECONDED by Russell to approve Resolution R2025-059 with revisions and subject to the proper budgeting of the grant awards.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2025-059 was approved with revisions and subject to the proper budgeting of the grant awards.

APPLICATIONS:

There were no applications.

REPORTS BY COUNCIL AND STAFF

Council Member Russell advised that the Economic Development Board met on March 3rd and discussion centered around the town map project.

Council Member Daniels noted that the Commission on Aging met on February 27th. There was a presentation on dental hygiene and Medicare information.

CORRESPONDENCE:

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

APPOINTMENTS:

There were no appointments.

APPROVAL OF BILLS:

Mayor Mironov stated a 2024 Current Bill list, 2025 Current Bill list, a Capital Bill List and other miscellaneous bill lists, and trust accounts were provided.

Mayor Mironov asked for an update on the Beechcroft Project including 26 Beechcroft on the Capital Bill list.

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

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

Nays – None

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

MATTERS BY COUNCIL:

Mayor Mironov requested the status of the Annual Financial Statement.

Mayor Mironov advised she received a memo from Assistant Township Manager Buckingham pertaining to bill list questions from the February 25, 2025, meeting. All questions have been addressed.

Mayor Mironov noted that a plan is needed for restoring the grounds at Anker Park.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2025 Municipal Budget

Mayor and Council Members reviewed information on this subject provided by the Township Manager.

MATTERS BY PUBLIC:

Mindy Gerber, 25-21 Old Millstone Drive, asked for more input on what trips the Senior Center organizes and suggested partnering with a traveling seniors' group to offer overnight trips.

ADJOURNMENT:

Next Meeting: March 25, 2025

Allison Quigley
Municipal Clerk

Janice S. Mironov
Mayor