

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday September 22, 2020

5:30 p.m.

DRAFT 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, September 22, 2020.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 10, 2020 in the annual meeting notice and on September 18, 2020, 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 virtually by Township Manager James Brady

ROLL CALL:

Present were Council Members Denise Daniels, Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager, John Zoller and Mayor Janice Mironov. Also present were Township Attorney David Orron, Township Manager James Brady and Municipal Clerk Kelly Lettera.

PRESENTATIONS & PROCLAMATIONS:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM:

No one from the public spoke.

MINUTES:

Mayor Mironov stated March 10, 2020, March 24, 2020 and July 21, 2020 minutes were held till the next regularly scheduled meeting.

February 11, 2020

Mayor Mironov stated pages 3, 10, 11, 12, 13, and 16 needed to be revised.

It was MOVED by Lippman, SECONDED by Yeager to approve the February 11, 2020 Council meeting minutes with the changes.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, the February 11, 2020 minutes were approved with the changes.

February 25, 2020

Mayor Mironov stated pages 4, 5, 6, 7, 8, 12 and 13 needed to be revised.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve the February 25, 2020 Council meeting minutes with the changes.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, the February 25, 2020 minutes were approved with the changes.

April 7, 2020

Mayor Mironov stated pages 8, 10 and 16 needed to be revised.

It was MOVED by Rosenberg, SECONDED by Daniels to approve the April 7, 2020 Council meeting minutes with the changes.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None
Abstain - Shapiro

There being six (6) ayes, no (0) nays and one (1) abstention, the February 25, 2020 minutes were approved with the changes.

April 21, 2020

Mayor Mironov stated pages 4, 5, 6, 10, 14, 15 and 17 needed to be revised.

It was MOVED by Zoller, SECONDED by Lippman to approve the April 21, 2020 Council meeting minutes with the changes.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, the April 21, 2020 minutes were approved with the changes.

December 17, 2019

May 5, 2020

May 19, 2020

June 2, 2020

June 16, 2020

July 7, 2020

August 4, 2020
August 18, 2020
September 1, 2020

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

ORDINANCE – PUBLIC HEARING:

Ordinance 2020-10 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

Mayor Mironov carried Ordinance 2020-10 till the October 6, 2020.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2020-118 Authorizing Purchase of Police Records Management Computer Server from Motorola Solutions for the Police Department

**RESOLUTION R2020-118
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the replacement and installation of a new police records management computer server for the Police Department; and

WHEREAS, Motorola Solutions, Inc., formerly Spillman Technologies, Inc., is the sole provider capable of supplying the hardware and necessary services for the acquisition and installation of the police records management computer server and has not authorized maintenance of their software by any other vendor; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd) any contract which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising bids if the subject matter consists of the provision or performance of goods and services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software; and

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

WHEREAS, the maximum amount of the purchase is \$85,627.96 and funds are available in the Capital Fund Account No. C-04-55-980-924-510 entitled Ordinance 2020-07 "Police Records Mgmt/Dispatch Computers", as evidenced by the Chief Financial Officer's Certification No. C2020-026R.

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 Motorola Solutions, Inc., 4625 West Lake Park Boulevard, Salt Lake City, Utah 84120, for the purchase, acquisition, installation, data migration and one year maintenance for the replacement of a new police records management computer server for the police department, in a total amount not to exceed \$85,627.96, all in accordance with the attached quote.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on October 6, 2020.

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

It was MOVED by Daniels, SECONDED by Rosenberg to approve Resolution R2020-118 with the revisions.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller

Nays – None

Abstain - Mironov

There being six (6) ayes, no (0) nays and one (1) abstention, Resolution R2020-118 was approved with the revisions.

Resolution R2020-134 Approval of Contract for Computer and Network Maintenance Services with All Covered for the Municipal Building

RESOLUTION R2020-134
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need for computer and network maintenance services for the East Windsor Township Municipal Building; and

WHEREAS, the Township solicited proposals on July 9, 2020 and received one proposal for computer and network maintenance services by the receipt date of August 13, 2020; and

WHEREAS, All Covered is the sole provider for East Windsor's computer and network maintenance services; and

WHEREAS, these computer and network maintenance services are of a specialized and qualitative nature because they are based on the specific expertise for East Windsor's computer and network maintenance services and as such have been determined by the Township Manager to be an extraordinary and unspecifiable service; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law exempts extraordinary unspecifiable services from competitive bidding; and

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

WHEREAS, the maximum amount of the contract is \$19,900.00 and funds are available in the Current Fund Account No. 0-01-20-140-140-245 entitled "Data Processing," as evidenced by the Chief Financial Officer's Certification No. B2020-026.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement with All Covered, 7000 Commerce Parkway, Suite A, Mt. Laurel, NJ 08054, for computer and network maintenance services for the period commencing October 1, 2020 through September 30, 2021, for a total amount not to exceed \$19,900.00, all in accordance with the attached proposal.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a)(ii) of the Local Public Contracts Law because the contract service is of a specialized and qualitative nature and as such has been determined to be an extraordinary unspecifiable service.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration,

service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

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

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Resolution R2020-134 with the revisions.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-134 was approved with the revisions.

Resolution R2020-135 Authorizing Purchase of 20' Storage Container from Jake Containers for the Municipal Building

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-136 Approval of Agreement for Digital Mugshot Imaging System with Dynamic Imaging Systems, Inc. for the Police Department

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-137 Authorizing Purchase of SCBA Masks from Municipal Emergency Services (MES) for East Windsor Volunteer Fire Company No. 1

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-138 Authorizing Purchase of Fire Fighter Helmets from Municipal Emergency Services (MES) for East Windsor Volunteer Fire Company No. 1

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-139 Authorizing Purchase of Various Firefighting Equipment and Tools from Witmer Public Safety Group for East Windsor Volunteer Fire Company No. 2

RESOLUTION R2020-139
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, WHEREAS, there is a need to purchase various replacement tools and equipment for the East Windsor Volunteer Fire Company No. 2, Inc.; and

WHEREAS, three written quotes were obtained to provide this equipment; and

WHEREAS, the lowest cost proposal was submitted by Witmer Public Safety Group, Inc.; 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 Manager's recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$4,031.00 and funds are available in Capital Account No. C-04-55-980-923-543 entitled Ordinance 2019-01 "FC #2 Fire Fighting Equipment & Tools", as evidenced by the Chief Financial Officer's Certification No. C2020-034.

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: Witmer Public Safety Group, Inc., 104 Independence Way, Coatsville, Pa., 19320, for two Nylon Outer Protective Indian Chief Dual Fire Pump Bags in the amount of \$165.00 each, six marrying straps in the amount of \$12.00 each, two 8' steel, with Chisel, End New York Roof Hooks in the amount of \$125.00 each with an additional shipping charge for the roof hooks in the amount of \$110.00 each, three Hotstick USA AC Current Sensors in the amount of \$295.00 each, one Climbing Technology Sparrow 200 Self-braking Descender in the amount of \$195.00, one red Sterling F4 Descent Device in the amount of \$69.00, two orange Streamlight Survivor LED in the amount of \$55.00 each, one Groves Mobile Three Tier Hose Rack in the amount of \$1,900.00, for a total amount not to exceed \$4,031.00, in accordance with the attached quote.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

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

It was **MOVED** by Rosenberg, **SECONDED** by Zoller to approve Resolution R2020-139 with the revisions.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-139 was approved with the revisions.

Resolution R2020-140 Authorizing Execution of Certificate of Completion for the Redevelopment Agreement with Exeter Wyckoff Mills Urban Renewal, LLC for 329-359 Wyckoff Mills Road (Block 13, Lot 1.01 and 1.02)

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-141 Action on Request for Release of Performance Guarantee by Windsor Castle Associates, LLC for Windsor Castle

Mayor Mironov held Resolution R2020-135 requesting additional information.

Resolution R2020-142 Action on Request for Release of Performance Guarantee by Arco Design/Build Industrial for Aurobindo Pharma USA, Inc.

**RESOLUTION R2020-142
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Jonathan Zuk of Arco Design Build, requested by letter dated June 29, 2020, a release of the performance guarantees being held by the Township for the property located at 203 Windsor Center Drive, Block 4, Lot 2 for the Aurobindo Pharma USA, Inc. facility; and

WHEREAS, the Township Engineer has inspected the site work for the Aurobindo Pharma USA, Inc. facility and filed a written report with the Township Council dated September 4, 2020, which is attached hereto and made a part of this Resolution; and

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

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

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

1. The Township Council agrees to release Performance Bond No. 0704886 issued by International Fidelity Insurance Company in the amount of \$5,223,336.30 and the cash guarantee of \$580,370.70, upon the posting of a two (2) year maintenance bond in the amount of \$870,556.05 and inspection escrow of \$1,500.00 for maintenance bond release, in a form acceptable to the Township Attorney.

2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of the Township Engineer's report to Jonathan Zuk of Arco Design Build.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2020-142.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-142 was approved.

Resolution R2020-143 Action on Request for Release of Performance Guarantee by K. Hovnanian at East Windsor, LLC for Magnolia Ridge

**RESOLUTION R2020-143
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Kathy C. Herity, Transition & Bond Manager of K. Hovnanian at East Windsor, LLC, has requested by letter dated August 11, 2020, a release of the performance guarantees being held by the Township for Magnolia Ridge Site Improvements; and

WHEREAS, on June 2, 2015, by Resolution R2015-101, the Township Council reduced Performance Bond No. 1085980 issued by Lexon Insurance Company from \$693,435.06 to \$341,590.50 and the cash guarantee from \$77,048.34 to \$37,954.50; and

WHEREAS, on December 20, 2016, by Resolution R2016-219, the Township Council reduced Performance Bond No. 1085980 issued by Lexon Insurance Company from \$341,590.50 to \$232,129.15 and the cash guarantee from \$37,954.50 to \$25,792.13; and

WHEREAS, ACT Engineers has inspected the improvements for Magnolia Ridge Site Improvements and filed a written report with the Township Council dated September 16, 2020, which is attached hereto and made a part of this Resolution; and

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

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

1. The Township Council agrees to reduce Performance Bond No. 1085980 issued by Lexon Insurance Company from \$232,129.15 to \$208,030.52 and the cash guarantee from \$25,792.13 to \$23,114.50.

2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of ACT Engineer's report to Kathy C. Herity, Transition & Bond Manager of K. Hovnanian at East Windsor, LLC.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Resolution R2020-143.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-143 was approved.

Resolution R2020-144 Action on Request for Release of Performance Guarantee of Earle Asphalt Company for Route 130/Hankins Road/Conover Road Realignment Project

**RESOLUTION R2020-144
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on December 4, 2018, by Resolution R2018-200 the East Windsor Township Council authorized a contract with The Earle Asphalt Company in the amount of \$2,002,213.13 to perform intersection improvements for New Jersey State Highway U.S. Route 130 and Hankins/Conover Road; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Patrick Hughes of Maser Consulting PA, requested by letter dated June 29, 2020, a release of the performance guarantees being held by the Township for Intersection Improvements for the project located at New Jersey State Highway U.S. Route 130 and Hankins/Conover Road; and

WHEREAS, Earle Asphalt Company provided Maintenance Bond No 82520814M, dated April 29, 2020, in the amount of \$1,990,823.23; and

WHEREAS, on July 24, 2020, the project Engineer, Patrick Hughes of Maser Consulting, has inspected the site work for the intersection improvements for New Jersey State Highway U.S. Route 130 and Hankins/Conover Road and filed a written report to close out the project, which is attached hereto and made a part of this Resolution; and

WHEREAS, on August 4, 2020, by Resolution R2020-107, Mayor and Council approved change order #2 reducing the total contract amount to \$1,990,823.23 and authorizing the release of final payment, in the amount of \$144,632.89, to Earle Asphalt Company; and

WHEREAS, the Township Council has reviewed the report and recommendations of the Township Manager and Maser Consulting.

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

1. The Township Council agrees to release Performance Bond No. 82520814 issued by Federal Insurance Company in the amount of \$2,002,213.13.
2. Earle Asphalt Company has filed Maintenance Bond No 82520814M in the amount of \$1,990,823.23.
2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution with a copy of Maser Consulting's project close-out report to Earle Asphalt Company.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

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

It was MOVED by Yeager, SECONDED by Lippman to approve Resolution R2020-144 with the revisions.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-144 was approved with the revisions.

Resolution R2020-145 Requiring Township Alcoholic Beverage Control Licensees Pledge “We Check for 21” as a Condition of Issuance of Alcoholic Beverage Control License

**RESOLUTION R2020-145
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township in partnership with the Mercer Council on Alcoholism and Drug Addiction is seeking support for the “We Check for 21” Program, designed to prevent underage drinking and heighten the awareness of the problem within our communities; and

WHEREAS, approximately 8 in 10 youths will have consumed alcohol at some time in their lives by the time they reach the 12th grade and more than 60% of these youths will have consumed it to the point of intoxication; and

WHEREAS, approximately 1,000 drivers between the ages of 16 and 20 who are in fatal accidents each year have blood alcohol levels above the legal limit of .08; and

WHEREAS, the “We Check for 21” Program is an excellent vehicle to bring together municipal government leaders, young people, parents, key community and school leaders, policy makers and local businesses toward a common positive community effort.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, does hereby require that as a condition of the issuance or renewal of any Township Alcoholic Beverage Control Licenses the Licensee must sign the “We Check for 21” Pledge to prevent underage drinking.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

It was MOVED by Yeager, SECONDED by Zoller to approve Resolution R2020-145.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-145 was approved.

Resolution R2020-146, Resolution R2020-148, Resolution R2020-150 through Resolution R2020-157 and Resolution R2020-159 through 161 were voted on in a block format.

Resolution R2020-146	Renewal of Alcoholic Beverage Control License for Hightstown American Legion 148
Resolution R2020-148	Renewal of Alcoholic Beverage Control License for Veterans of Foreign Wars Post 5700
Resolution R2020-149	Renewal of Alcoholic Beverage Control License for The Peddie Golf Club t/a The Peddie School Golf Club
Resolution R2020-150	Renewal of Alcoholic Beverage Control License for Divya & Krisha, LLC t/a USA Wine Traders Club
Resolution R2020-151	Renewal of Alcoholic Beverage Control License for East Windsor BK LLC t/a Bottle King Discount Wine & Liquors
Resolution R2020-152	Renewal of Alcoholic Beverage Control License for PST Associates, LLC
Resolution R2020-153	Renewal of Alcoholic Beverage Control License for Twin Rivers Pub LLC t/a Exit 8 Lounge
Resolution R2020-154	Renewal of Alcoholic Beverage Control License for Divya & Krina, LLC t/a East Windsor Bowl & Recreation Center

- Resolution R2020-155** Renewal of Alcoholic Beverage Control License for CS Estates LLC, t/a City Street Café
- Resolution R2020-156** Renewal of Alcoholic Beverage Control License for Briad Restaurant Group, L.L.C., t/a TGI Friday's
- Resolution R2020-157** Renewal of Alcoholic Beverage Control License for CB East Windsor, LLC t/a Charlie Brown's Steakhouse
- Resolution R2020-159** Renewal of Alcoholic Beverage Control License for Mali, Inc., t/a Holiday Inn of East Windsor
- Resolution R2020-160** Renewal of Alcoholic Beverage Control License for Woodside Avenue, Inc. t/a Legends Bar & Grille
- Resolution R2020-161** Renewal of Alcoholic Beverage Control License for Americana RD, Inc. t/a Americana Diner

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2020-146, Resolution R2020-148, Resolution R2020-150 through Resolution R2020-157 and Resolution R2020-159 through 161.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-146, Resolution R2020-148 through Resolution R2020-150 through Resolution R2020-157 and Resolution R2020-159 through 161 were approved.

- Resolution R2020-147** Renewal of Alcoholic Beverage Control License for Hightstown Elks #1955 B.P.O.E

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2020-147.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2020-147 was approved.

- Resolution R2020-158** Renewal of Alcoholic Beverage Control License for Windsor Grand Cafe Corp t/a Town Diner

Resolution R2020-158 was held pending a special ruling from Alcoholic Beverage Control.

Resolution R2020-162 Action on Award of Bid for Resurfacing and Associated Repairs to Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive

**RESOLUTION R2020-162
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for the Resurfacing and Associated Repairs to Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on August 25, 2020 for the Resurfacing and Associated Repairs to Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive and nine bids were received on September 17, 2020 by the Municipal Clerk's Office; and

WHEREAS, the lowest responsible bid was submitted by Lucas Construction Group, Inc.; and

WHEREAS, on September 22, 2020, pursuant to N.J.S.A. 40A:11-23.3, Lucas Construction Group, Inc. withdrew their bid due to legal purposes; and

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

WHEREAS, the Township Council has reviewed the recommendations made by the Director of Public Works on these bids; and

WHEREAS, the maximum amount of the purchase is \$865,172.05 and sufficient funds are available in Capital Account No. C-04-55-980-924-906 entitled "NJDOT Exeter Grant" in the amount of \$600,361.00 and in Capital Account C-04-55-980-924-890 entitled "Annual Road Program" in the amount of \$264,811.05, in a total amount not to exceed \$865,172.05, as evidenced by the Chief Finance Officer's Certification No. C2020-035.

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 and Associated Repairs to Exeter Road, Exeter Court, Cornwall Drive, Drew Lane, Surrey Lane, Stanford Court and Berkshire Drive is awarded to Meco, Inc., 37 Prodelin Way, Millstone Township, New Jersey 08535, in an amount not to exceed \$865,172.05.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
3. The Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder and the next lowest

bidder, upon the receipt of a fully executed contract.

4. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: Lucas Construction Group, PO Box 8939, Red Bank, NJ, 07701; Earle Asphalt Company, P.O. Drawer 556, Farmingdale, NJ 07727; Earle Asphalt Company, P.O. Drawer 556, Farmingdale, NJ 07727; Black Rock Enterprises LLC, 1316 Englishtown Road, Old Bridge, NJ 08857; Trap Rock Industries, LLC, PO Box 419, Kingston, NJ 08528; Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876; S. Brothers, Inc., P.O. Box 317, South River, NJ 08882; Richard T. Barrett Paving Company, Inc., 400 Prospect Street, Trenton, New Jersey 08618; and Capital Paving & Contracting, LLC, 1225 Route 31 South, Building A, Suite 124, Lebanon, NJ 08833.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on September 22, 2020.

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

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2020-162 with the revisions.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes, and no (0) nays, Resolution R2020-162 was approved with the revisions.

APPLICATIONS:

Raffle License RL: 2020-003 LEP Foundation for Youth Education – October 12, 2020 at Peddie Golf Course, 671 Old York Road, East Windsor, NJ – 50/50 Off Premise Raffle

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Raffle License RL: 2020-003.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Raffle License RL: 2020-003 was approved.

Raffle License RL: 2020-004 Hightstown Elks Lodge #1955 – every Friday starting January 8, 2021 – March 26, 2021 at Highstown Elks Lodge #1955, 110 Hickory Corner Road, East Windsor, NJ – 50/50 On Premise Raffle

It was MOVED by Rosenberg, SECONDED by Shapiro to approve Raffle License RL: 2020-004.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes and no (0) nays, Raffle License RL: 2020-004 was approved.

REPORTS BY COUNCIL AND STAFF:

CORRESPONDENCE:

APPOINTMENTS:

APPROVAL OF BILLS:

Mayor Mironov stated a 2020 Current Bill list, 2019 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve the Bill Lists.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Yeager, Zoller, Mironov
Nays – None

There being seven (7) ayes, and no (0) nays, the various presented Bill Lists were approved.

MATTERS BY COUNCIL:

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

MATTERS BY PUBLIC: No one from the public spoke.

ADJOURNMENT:

Next Meeting: October 6, 2020