

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday March 3, 2015

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on March 3, 2015.

VERIFICATION:

Municipal Clerk Gretchen McCarthy certified that the meeting was noticed on January 16, 2015 and that 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:

Township Manager James Brady led the flag salute.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Read Across America Day—March 2, 2015—Mayor Mironov will present the proclamation at East McKnight Elementary School on March 4.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Mayor and Council interviewed Rene Jocelyn, who is interested in the Planning Board and the Recreation Commission.

PUBLIC FORUM:

No one from the public spoke.

MINUTES:

November 11, 2014

November 25, 2014

December 9, 2014

December 23, 2014

January 8, 2015

January 20, 2015

February 3, 2015

February 17, 2015

January 8, 2015

It was MOVED by Lippman and SECONDED by Rosenberg that the January 8, 2015 minutes be approved.

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

There being six (6) ayes, one abstention and no (0) nays, the January 8, 2015 minutes were approved.

Mayor Mironov asked that all other minutes on the agenda be rescheduled.

ORDINANCE – PUBLIC HEARING: None

ORDINANCE – INTRODUCTION:

Ordinance No. 2015-02 An Ordinance of the Township of East Windsor Reappropriating \$100,000 Proceeds of Obligations to Parks and Playground Equipment.

The Municipal Clerk read by title Ordinance No. 2015-02. Mayor Mironov stated it was related to Council's prior discussion regarding park improvements.

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, REAPPROPRIATING \$100,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PARKS AND PLAYGROUND EQUIPMENT.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY (by not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$100,000 of the proceeds of obligations originally made available pursuant to Section 3(a) of the below specified Bond Ordinances of the Township of East Windsor, in the County of Mercer, New Jersey (the "Township"), are no longer necessary for their original purposes

<u>Ordinance Number</u>	<u>Date Adopted</u>	<u>Account</u>	<u>Description</u>	<u>Balance Remaining</u>
2014-08	11/11/2014	C-04-55-951-912-859	Fire Company No. 1 Rear Concrete Apron	\$40,000
2013-09	12/17/2013	C-04-55-953-914-503	Police Building Roof	\$60,000
TOTAL				\$100,000

Section 2. The \$100,000 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby re-appropriated to provide \$100,000 for parks and playground equipment.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital budget or temporary capital budget of the Township of East Windsor is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by law.

It was MOVED by Rosenberg, SECONDED by Zoller to approve Ordinance 2015-02 on introduction, authorize publication as required by law and set public hearing for March 17, 2015.

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

There being seven (7) ayes and no (0) nays Ordinance 2015-02 was approved on introduction, authorized for publication as required by law and the public hearing was set for March 17, 2015.

RESOLUTIONS:

Resolution R2015-037 Approve Award of Bid for the Resurfacing and Associated Repairs for Hickory Corner Road between Dutch Neck Road and Dorchester Drive to Richard T. Barrett Paving Co., Inc.

The Municipal Clerk read by title Resolution R2015-037. Mayor Mironov noted there was a typo in the second paragraph, which should read “January 5, 2015” rather than “January 20.” She stated this was a re-bid and that the project was assisted by a \$250,000 New Jersey Department of Transportation grant.

Bids obtained in 2014 were excessively high and were therefore rejected. The responses this year resulted in many more substantially lower bids. There was a recommendation from the Project Engineer and Director of Public Works. Mayor Mironov requested a timeline be provided by staff.

RESOLUTION R2015-037

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for Reconstruction and Resurfacing of Hickory Corner Road between Dutch Neck Road and Dorchester Drive; and

WHEREAS, a Notice of Bids was issued and posted/advertised on January 5, 2015, and ten (10) bids for Roadway Improvements to Hickory Corner Road between Dutch Neck Road and Dorchester Drive were received by the East Windsor Township Municipal Clerk's Office on February 3, 2015; and

WHEREAS, the lowest priced responsible bid was received from Richard T. Barrett Paving Company, Inc.; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager, Project Engineer and Director of Public Works on said bids; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in the Capital Fund Account No. C-04-55-970-915-893 entitled NJDOT Improvements to Hickory Corner Road in the amount of \$250,000.00 and in the Capital Fund Account No. C-04-55-952-913-890 entitled Annual Road Program in the amount of \$64,303.97 and in the Capital Improvement Fund No. C-04-55-953-913-890 entitled Annual Road Program in the amount of \$678.28 and in Capital Improvement Fund No. C-04-55-970-915-890 entitled Annual Road Program in the amount of \$33,742.30 as evidenced by the Chief Financial Officer's Certification No. C2015-007.

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 and Associated Repairs for Hickory Corner Road between Dutch Neck Road and Dorchester Drive be awarded to Richard T. Barrett Paving Company, Inc , 400 Prospect Street, Trenton, New Jersey 08618, on their bid of \$348,724.55, subject to receipt of a fully executed contract and all other required documents.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for same.
3. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: S. Brothers, Inc., P.O. Box 317, South River, New Jersey 08882, Desantis Construction Inc., 491 Elizabeth Avenue, Somerset, NJ 08873, Z Brothers Concrete Contractors, Inc. 304 Jernee Mill Road, Sayreville, NJ 08872, Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876, Black Rock Enterprises, LLC 1316 Englishtown

Road, Old Bridge, NJ 08857, Cardinal Contracting Co., LLC, 1738 Route 206, Red Lion Circle Southampton, NJ 08088, American Asphalt, 100 Main Street, W. Collingswood Heights, NJ 08059, Lucus Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751, and Your Way Construction, 404 Colt Street, Irvington, NJ 07111;and.

4. 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 and all other required documents to Richard T. Barrett Paving Co., Inc. 400 Prospect Street, Trenton, NJ 08618 and Mecos, Inc., P. O. Box 317, Clarksburg, NJ 08510

It was MOVED by Zoller, SECONDED by Yeager to approve Resolution R2015-037 with the change.

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

There being seven (7) ayes and no (0) nays Resolution R2015-037 was approved with the change.

Resolution R2015-038 Authorizing Employment Agreement with John T. Funda as the Executive Director of the East Windsor Police Athletic League

The Municipal Clerk read by title Resolution R2015-038. Mayor Mironov noted that attached to the resolution is a proposed contract which has been signed and a letter had been received from the East Windsor PAL Board with their recommendation that Mr. Funda continue in this position. The Mayor noted Mr. Funda had done an excellent job.

RESOLUTION R2015-038

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there exists a need for an Executive Director for the East Windsor Police Athletic League; and

WHEREAS, the Township desires to appoint John T. Funda as the Executive Director of the East Windsor Police Athletic League under the terms and conditions set forth in the attached Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Employment Agreement for the term of February 16, 2015 through February 16, 2018 with John T. Funda as the Executive Director of the East Windsor Police Athletic League.

It was MOVED by Duke, SECONDED by Rosenberg to approve Resolution R2015-038.

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

There being seven (7) ayes and no (0) nays Resolution R2015-038 was approved.

Resolution R2015-028 Approval of Professional Services Contract for Engineering Services for Reconstruction and Resurfacing of Dorchester Drive with Engineering and Land Planning Associates

The Municipal Clerk read by title Resolution R2015-028. Mayor Mironov stated this resolution had been held until the Public Works Director had made a recommendation on whether or not to do the entire road, and how doing it in pieces may affect the engineering agreement. In addition, a grant application is pending with the New Jersey Department of Transportation. Council Members agreed to hold the resolution to the meeting of March 17, 2015, pending the Public Works Director's recommendation.

Resolution R2015-039 Action on Request for Reduction of Performance Guarantee for Brooktree Swim Club, LLC

The Municipal Clerk read by title Resolution R2015-039. Mayor Mironov stated there was a recommendation from the Township Engineer dated January 19, 2015, to reduce the performance bond that is attached and incorporated into the resolution. Mayor Mironov stated that she has spoken with the Director of Public Works regarding the condition of Oak Creek Road near this project and is assured that enough has been retained to ensure proper repair of the road.

RESOLUTION R2015-039

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Mark Jannarone, Project Manager/Partner of Brooktree Estates, has requested by letter dated October 2, 2014, a reduction of the performance guarantees being held by the Township for Brooktree Swim Club, LLC; and

WHEREAS, on December 18, 2012, by Resolution R2012-216, the Township Council reduced Performance Bond No. 1059820 issued by Lexon Insurance Company from \$320,747.04 to \$223,600.14 and the cash guarantee from \$35,638.56 to \$24,844.46; and

WHEREAS, on January 28, 2014, by Resolution R2014-28 The Township Council reduced Performance Bond No. 1059820 issued by Lexon Insurance Company from \$223,600.14 to \$158,386.32 and cash guarantee from the amount of \$24,844.46 to \$17,598.48.

WHEREAS, the Township Engineer has inspected the improvements for Brooktree Swim Club, LLC and filed a written report with the Township Council dated January 19, 2015, which is attached hereto and made a part of this Resolution; and

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

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

1. The Township Council agrees to reduce Performance Bond No. 1059820 issued by Lexon Insurance Company from \$158,386.32 to \$96,224.68 and cash guarantee in the amount of \$17,598.48 to \$10,691.57.
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 Mark Jannarone, Project Manager/Partner of Brooktree Estates.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve Resolution R2015-039.

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

There being seven (7) ayes and no (0) nays Resolution R2015-039 was approved.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Council Member Zoller stated the Commission on Aging met on February 26. The Senior Center classes are going strong, and summer classes were being conducted by volunteers among the senior group. He noted that they were anxious to see the return of the bus. The Senior Directory was ready for its next step.

CORRESPONDENCE: None

APPOINTMENTS:

Mayor Mironov appointed high school student Jasman Singh to the Economic Development Committee, Gloria Golbert as an auxiliary member on the Commission on Aging, and Tanya Dmytrow to the Environmental Commission for a term expiring December 31, 2015.

APPROVAL OF BILLS:

Council Member Zoller asked about two items from Best Buy and Perrine on page 6 of the Current 2015 list that were lacking descriptions. He asked that they be pulled for clarification.

Mayor Mironov stated there was “Developers Agreement” handwritten incorrectly on the list as it was a donation, and asked that future lists accurately reflect the item.

It was MOVED by Duke, SECONDED by Zoller to approve the Bill Lists subject to the questions and pulled bills.

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

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

MATTERS BY COUNCIL:

Mayor Mironov stated there was a report from the Tax Collector dated January 31, 2015, as well as a summary report for the year 2014.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2015 Municipal Budget Review

Leslie Koppel, Executive Director of RISE, thanked Mayor and Council for their past support. She distributed a letter and supporting documentation describing their request of \$9,500, which was the amount requested last year, and highlighted RISE’s successes. Mayor Mironov commented that RISE was welcome to participate in East Windsor’s recycling program on Saturday, April 25 to take advantage of items for their thrift store or other uses. Ms. Koppel pointed out that RISE may have some low income families participating in the community garden, and that the RISE food pantry had outgrown its current facility and was seeking ideas for expanding into a new space.

Mayor Mironov stated Council had two prior meetings with staff and agencies regarding the 2015 municipal budget. Some additional information had been received, and the Township Manager was working on clarifications.

There was a February 27 memo from the Police Chief answering questions from Council. Council Member Shapiro inquired about fees for renewing taxi licenses. The Township Manager would follow up. Mayor Mironov stated she had requested a review of expenses and income regarding the Animal Control Officer and had not received the correct information. She asked that the information be forwarded to her as soon as possible. She asked that the issue on page two be addressed.

Requested actual expenditures had been provided to Council. Mayor Mironov asked that there be a way to show actuals more clearly.

There was a budget report from the Garbage District. Mayor Mironov stated it was a flat budget. She noted it had been a difficult budget for municipalities across the State.

Council Member Zoller commented how great it was that there was no tax increase in the budget.

Mayor Mironov reviewed the summary of changes. There were some increases in revenues that would offset this. Receipts for delinquent taxes were down, which meant anticipated tax revenue were increased. Based on these budget numbers and the appropriations summary, the anticipated budget was \$21,781,000 with a level tax rate and a stable average tax bill. The Township had kept a very tight handle on expenditures, which was positively reflected in the budget. She asked if Council Members would be comfortable adopting the budget at the March 17 meeting if all questions were clarified. Council Members responded yes unanimously.

MATTERS BY PUBLIC:

John Brooks, 888 Old York Road, commented on the Rescue Squad.

Michael Foley, 6 Barrington Drive, West Windsor, commented on the Rescue Squad.

Jonathan Wassef, 175 Canterbury Court, East Windsor, commented on the Rescue Squad.

Denis Kenney, 12 Woodland Drive thanked the Mayor for her service to East Windsor and commented on the disrepair at the park near Lee's Turkey Farm.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:48 pm.

Next Meeting: Tuesday, March 17, 2015 @ 7:30 p.m.

Gretchen McCarthy
Municipal Clerk

Janice S. Mironov
Mayor