

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, November 10, 2015

7:30 p.m.

MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on November 10, 2015.

VERIFICATION:

Municipal Clerk Gretchen McCarthy certified that the meeting was noticed on January 16, 2015 in the annual meeting notice and on November 6, 2015, 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, Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager, John Zoller and Mayor Janice Mironov. Council Member Hector Duke was absent. Also present were Township Attorney David E. Orron, Township Manager James P. Brady and Municipal Clerk Gretchen McCarthy.

PRESENTATIONS & PROCLAMATIONS:

Womanspace "Communities of Light" (December 7, 2015)

Mayor Mironov presented a personal check donation to Womanspace Executive Director Patricia Hart to purchase 50 boxes of luminary in order to light up the municipal building in participation in the "Communities of Light" event, followed by personal donations by all other Council Members present.

Reverend Bernard T. Fowler, Mount Olivet Baptist Church - 15th Anniversary (November 8, 2015)

Mayor Mironov stated that she presented a proclamation to Reverend Fowler at the anniversary celebration held on November 8, 2015.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Interviewed were Lisa Swarm who is interested in the Environmental Commission or Planning Board, Oren Livne who is interested in the Economic Development Committee, Sree Chinta is interested in being a student member Economic Development Committee or the Commission on Aging and Anthony Rago who is interested in the Planning Board.

PUBLIC FORUM:

Veronica Nash, 516 Madison Drive, East Windsor commented on dispatch

Susan Handelman, 467A Evodia Place, Monroe, NJ commented on dispatch

James Gant, 704 Lloyd Road, Aberdeen, NJ commented on dispatch

Dave Handelman, 467A Evodia Place, Monroe, NJ commented on dispatch

Tim Kurs 519 Madison Drive, East Windsor commented on dispatch

Ashley Steinhauser 33 Brunswick Avenue, Monroe, NJ commented on dispatch

Sean O'Connor, 152 Hickory Corner Road, Apt. 313, East Windsor commented on Dispatch, EMS, and Council by-laws.

Mayor Mironov closed the public forum and thanked all who came out this evening to speak. Mayor Mironov stated that comments are appreciated and will be taken to heart as well as very seriously. The subject of dispatch is being reviewed and no decisions have been made. All aspects of the matter are being considered including comments, considerations, procedures, and costs. The Township is committed to ensuring a high quality and high service dispatch center be maintained in the current facility. Mayor Mironov also invited those with deep familiarity of the subject to share comments, insights and ideas to best perform this important service.

The meeting was reconvened by Mayor Mironov after a five minute recess.

MINUTES:

September 8, 2015

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

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

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

Mayor Mironov asked that the minutes of September 29, 2015 and October 13, 2015 be rescheduled.

Mayor Mironov moved the 2014 East Windsor Township Municipal Audit up in the agenda to present and discuss the report. She stated that the Township Auditor, Bud Jones of Nisivoccia, was in attendance to present the findings of the 2014 Municipal audit.

Mr. Jones made presentation on the 2014 Municipal Audit, speaking on Schedule A1 showing the fund balance for the Current Fund with a bit of \$4 million dollars as fund balance at the beginning of the year increased to 4.25 million at the end of 2014. On Schedule H1, the Garbage District fund balance started at \$750,000 at the beginning of the year, increasing to \$850,000 by the end of the year. Both funds are in very good financial condition as of December 31, 2014. Also in the Audit report, in the notes, the Township has a borrowing capacity of a little bit under \$96 million dollars with debt outstanding of about \$22 million dollars leaving a remaining borrowing power of \$74 million dollars. So, in essence, the Township is utilizing less than a quarter of the borrowing margin. Tax collection percentage went up from 98.97% to 99.03%. Grants that were audited were accounted for properly. Council member Rosenberg asked about the auditor's recommendations made. Mr. Jones replied that he felt the recommendations will be easily addressed after meeting with staff. Upon conclusion of the auditor's presentation, Mayor Mironov called for the resolutions pertaining to the audit

Resolution R2015-187 Acknowledging the Receipt of Audit and Signing of Group Affidavit

RESOLUTION R2015-187

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by Resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

**General Comments
Recommendations**

and,

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments
Recommendations**

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such Resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the Annual Audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined

not more than one thousand dollars (\$1,000) or imprisoned for not more than one (1) year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of East Windsor, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Resolution R2015-187

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

There being six (6) ayes and no (0) nays, Resolution R2015-187 was approved

Resolution R2015-188 Approving the Corrective Action Plan

RESOLUTION R2015-188

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Chief Financial Officer has prepared and filed with the Municipal Clerk a Corrective Action Plan as part of the annual audit process as required by the Single Audit Act, US Office of Management and Budget Circular Letter A-128 and New Jersey Office of Management and Budget Circular Letter No. 87-11, as referenced in New Jersey Department of Community Affairs, Division of Local Government Services, Local Finance Notice No. 92-15, dated July 8, 1992.

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 attached 2014 Corrective Action Plan for Audit submitted by the Chief Financial Officer is hereby acknowledged and approved.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2015-188

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

There being six (6) ayes and no (0) nays, Resolution R2015-188 was approved

ORDINANCE – PUBLIC HEARING: None.

ORDINANCE – INTRODUCTION:

Ordinance 2015-12 An Ordinance of the Township of East Windsor, New Jersey, to Amend Ordinance 2014-09, for Purpose of Retitling/Reclassifying Secretary to the Township Manager and Reclassifying Assistant to the Chief of Police

Mayor Mironov stated that recommendation from the Township Manager has been received on this matter evaluating the two positions and making suggested changes to them.

**ORDINANCE NO. 2015 – 12
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE OF THE TOWNSHIP OF
EAST WINDSOR, NEW JERSEY TO AMEND ORDINANCE 2014-09 FOR
PURPOSE OF RETITLING/RECLASSIFYING SECRETARY TO THE
TOWNSHIP MANAGER AND RECLASSIFYING ASSISTANT TO CHIEF
OF POLICE**

BE IT ORDAINED AND ENACTED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Ordinance 2014-09, An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for Non-Union Employees for Fiscal Years 2012-2015, is hereby amended and supplemented as follows:

SECTION I.

Section 5 entitled, “Classification of Positions”:

Grade 8 Deputy Municipal Clerk; Animal Control Officer; Supervisory Radio Officer; Deputy Municipal Court Administrator; Mechanics Foreman; Sanitation Foreman; ~~Secretary to the Township Manager~~

Grade 9 Computer Services Administrator/Support Services Supervisor; Assistant Comptroller/Assistant Purchasing Agent; Assistant General Foreman; Executive Assistant to Manager’s Office; Assistant to Chief of Police

Grade 10 General Foreman

Grade 11 ~~Assistant to Chief of Police~~ Reserved

Grade 12 Reserved

SECTION II. 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 III. REPEAL

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

It was **MOVED** by Zoller and **SECONDED** by Rosenberg that Ordinance No. 2015-12 be adopted and authorized for publication as required by law and setting public hearing for November 24, 2015.

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

There being six (6) ayes and no (0) nays, Ordinance No. 2015-12 was adopted and authorized for publication as required by law and setting public hearing for November 24, 2015..

RESOLUTIONS:

Resolution R2015-174 Chapter 159 – Amending the 2015 Municipal Operating Budget Providing an Item of Revenue and Appropriation for the 2015 Body Armor Grant

Mayor Mironov commented that the next three resolutions are for accepting and appropriating receipts from grants.

RESOLUTION R2015-174

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2015 in the sum of \$4,204.54, which item is now available as revenue from the 2015 Body Armor Grant.
2. A like sum of \$4,204.54 is hereby appropriated under the caption of 2015 Body Armor.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2015-174

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

There being six (6) ayes and no (0) nays, Resolution R2015-174 was approved.

Resolution R2015-175 Chapter 159 – Amending the 2015 Municipal Operating Budget Providing an Item of Revenue and Appropriation for the Recycling Tonnage Grant

RESOLUTION R2015-175

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2015 in the sum of \$37,267.44, which item is now available as revenue from the Recycling Tonnage Grant.

2. A like sum of \$37,267.44 is hereby appropriated under the caption of Recycling Tonnage Grant.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Resolution R2015-175

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

There being six (6) ayes and no (0) nays, Resolution R2015-175 was approved.

Resolution R2015-176 Chapter 159 – Amending the 2015 Municipal Operating Budget Providing an Item of Revenue and Appropriation for the Green Communities Grant

RESOLUTION R2015-176

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2015 in the sum of \$3,000.00, which item is now available as revenue from the 2015 Green Communities Grant.
2. A like sum of \$3,000.00 is hereby appropriated under the caption of 2015 Green Communities Grant.

It was MOVED by Yeager, SECONDED by Zoller to approve Resolution R2015-176

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

There being six (6) ayes and no (0) nays, Resolution R2015-176 was approved.

Resolution R2015-177 Refund of Tax Overpayment

RESOLUTION R2015-177

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Tax Collector has certified that there have been overpayments for various reasons on certain properties; and

WHEREAS, the taxpayers are entitled to refunds.

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 Chief Financial Officer is hereby authorized and directed to make payments to the taxpayers for overpayments according to the attached Tax Collector's 2015 Refund of Taxes List Number 9 dated October 19, 2015.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2015-177

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

There being six (6) ayes and no (0) nays, Resolution R2015-177 was approved.

Resolution R2015-178 Authorize Purchase of Replacement Desktop Computers from SHI International Corp. for the Police Department

Mayor Mironov stated that corrected and updated resolutions were included in Council's meeting folders.

RESOLUTION R2015-178

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase eighteen (18) Replacement Desktop Computers for the East Windsor Police Department; and

WHEREAS, three (3) written quotes were obtained to purchase this Equipment; and

WHEREAS, the lowest quote was received from SHI International Corp.; and

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

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

WHEREAS, the maximum amount of the purchase of the Desktop Computers is \$15,542.28 and funds are available in the Capital Fund Account No. C-04-55-953-914-302 entitled "Ordinance 2013-09 Police Computer Acquisition", as evidenced by the Chief Financial Officer's Certification No. C2015-027.

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 Finance Director are hereby authorized and directed to approve and forward a purchase requisition to SHI International Corp., 290 Davidson Avenue, Somerset, NJ 08873 for the purchase of eighteen (18) replacement desktop computers at \$863.46 per unit for the East Windsor Township Police Department, in an amount not to exceed \$15,542.28, all in accordance with the attached quote.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2015-178

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

There being six (6) ayes and no (0) nays, Resolution R2015-178 was approved.

Resolution R2015-179 Closed Session (Contract Negotiations: Dispatch Services; Animal Control Services);
(Collective Bargaining: Policeman's Benevolent Association Local #191);
(Litigation: Rescue Squad; East Windsor Township Declaratory Judgment);
(Acquisition of Real Property: Route 130/Hankins Road/Conover Road Project)

RESOLUTION R2015-179

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances exist.

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 public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:

(Contract Negotiations: Dispatch Services; Animal Control Services)
(Collective Bargaining: Policeman's Benevolent Association Local #191)
(Litigation: Rescue Squad; East Windsor Township Declaratory Judgment)
(Acquisition of Real Property: Route 130/Hankins Road/Conover Road Project)

3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2015-179

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

There being six (6) ayes and no (0) nays, Resolution R2015-179 was approved

Resolution R2015-180 Approval of Extension of Lease of Farmland with K & S Farms for Property at Block 31, Lot 10 along Etra Road

Mayor Mironov asked that the first paragraph be changed to read "to Kevin Kyle to farm 10 acres of property off Etra Road designated as Block 31, Lot 10 (consistent with the lease 39 acres of which 10 acres are farmable)" and the third paragraph should read "for an additional five (5) years for the period of January 1, 2016 through December 31, 2020, under the same terms and conditions". On the first page of the agreement, in paragraph two, remove "awarded to Kevin Kyle" and in paragraph three the second word should be "lessee". This agreement is an extension of an existing farm lease.

RESOLUTION R2015-180

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, by Resolution R2011-204, adopted on January 18, 2011 the East Windsor Township Council awarded a Lease of Township owned land for five (5) years through December 31, 2015; and

WHEREAS, the original five (5) year lease allowed the lessee to renew the Lease for another five (5) years under the same terms and conditions; and

WHEREAS, the lessee has expressed an interest in extending the lease dated January 18, 2011 for an additional five (5) years for the period of January 1, 2016 through December 31, 2020, under the same terms and conditions.

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 hereby approves the attached Lease Extension to Kevin Kyle, 230 Cedarville Road, East Windsor, NJ 08520, for five (5) years from January 1, 2016 through December 31, 2020, under the same terms and conditions.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Lease Extension.

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2015-180 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2015-180 was approved with the changes.

Resolution R2015-181 Action on Request for Release of Performance Guarantee for Windsor Crossing West #4

Mayor Mironov stated that an updated and corrected resolution was included in Council's meeting folders. The changes are in paragraph three and under the "Now Therefore" paragraph the conditions of the release are added. Mayor Mironov added that certification has been received regarding all charges and fees being paid as well as the Township Engineer report dated March 11, 2015, which is attached and incorporated in the resolution.

RESOLUTION R2015-181

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Robert Helfgott representative of Robertson Douglas Group, has requested by letter dated February 2, 2015, a release of the performance guarantees being held by the Township for Windsor Crossing West No. 4, LLC (Parcel B); and

WHEREAS, the Township Engineer has inspected the improvements for Windsor Crossing West No. 4, LLC (Parcel B) and filed a written report with the Township Council dated March 11, 2015, which is attached hereto and made a part of this Resolution; and

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

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. K07197032 issued by Westchester Fire Insurance Company of New York in the amount of \$518,210.19 and the cash guarantee \$57,578.81, upon the posting of a two (2) year maintenance bond in the amount of \$212,092.80 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 Robert Helfgott representative of Robertson Douglas Group.

It was MOVED by Rosenberg, SECONDED by Zoller to approve Resolution R2015-181 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2015-181 was approved with the changes.

Resolution R2015-182 Authorizing 2015 Tree City USA Application for Recertification

RESOLUTION R2015-182

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters, the USDA Forest Service, the U.S. Conference of Mayors and the National League of Cities is accepting applications for 2015 TREE CITY USA; and

WHEREAS, East Windsor Township desires to be recertified as a TREE CITY USA for 2015; and

WHEREAS, the Township Council desires to submit said application to the New Jersey State Forester as required under the terms of the application.

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 is authorized to sign the attached 2015 TREE CITY USA Application for recertification.

It was MOVED by Yeager, SECONDED by Shapiro to approve Resolution R2015-182

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

There being six (6) ayes and no (0) nays, Resolution R2015-182 was approved

Resolution R2015-183 Approve Core Samples Services for Dorchester Drive Roadway Project by Key Tech Laboratories

Mayor Mironov stated that a recommendation has been received from the Public Works Director and that the core samples are a N.J.D.O.T. requirement as the road was resurfaced with State grant money.

RESOLUTION R2015-183

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for core samples to be taken from the recently resurfaced Dorchester Drive between Dutch Neck Road and West Windsor to sample the material and density of the pavement; and

WHEREAS, two cost proposals have been obtained for the services to take and evaluate the core samples; and

WHEREAS, the lowest cost proposal was submitted by Key Tech Laboratories; 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 Public Works Director's recommendations on said purchase; and

WHEREAS, the maximum amount of the purchase is \$1,650.00 and funds are available in the Account No. C-04-55-953-913-890 entitled Ordinance 2013-04 "Annual Road Program", as evidenced by the Chief Financial Officer's Certification No. C2015-028.

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 Key Tech Laboratories, 210 Maple Place, P. O. Box 48, Keyport, NJ 07735 in a total amount not to exceed \$1,650.00.

It was MOVED by Lippman, SECONDED by Zoller to approve Resolution R2015-183

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

There being six (6) ayes and no (0) nays, Resolution R2015-183 was approved

Resolution R2015-184 Approval of Change Order for Resurfacing and Associated Repairs for Dorchester Drive with P & A Construction

Mayor Mironov stated that a recommendation has been received on this matter from the Public Works Director and noted that it is different from the normal change order as it is a reduction in the agreement.

RESOLUTION R2015-184

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on August 4, 2015, by Resolution R2015-147 the East Windsor Township Council authorized a contract with P & A Construction, Inc. in the amount of \$431,988.15 for the Resurfacing and Associated Repairs for Dorchester Drive between Dutch Neck Road and the West Windsor Township Line; and

WHEREAS, a change order has been requested to reduce the contract amount by \$10,828.82; and

WHEREAS, the Township Director of Public Works has submitted a report requesting and justifying the need for this change order; 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. Change Order No. 1 to the contract with P & A Construction, Inc. to reduce the contract amount by \$10,828.82 to \$421,159.33 is approved.
2. The Township Manager is hereby authorized and directed to execute the necessary documents to effect Change Order No. 1.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Resolution R2015-184

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

There being six (6) ayes and no (0) nays, Resolution R2015-184 was approved

Resolution R2015-185 Approval of Professional Services Agreement with Community Grants Planning & Housing, L.L.C. as Affordable Housing Administrative Agent

Mayor Mironov asked that Resolution R2015-185 be held to the next meeting pending clarification.

Resolution R2015-186 Approval of Public Donor Agreement between Better Beginnings Day Care and East Windsor Township

Mayor Mironov commented that funding was provided in the budget for this agreement.

RESOLUTION R2015-186

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a desire to provide a donation to Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc. for day care services for residents of East Windsor Township; and

WHEREAS, such services are to be provided by Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc. through a program supervised and administered by the New Jersey Department of Human Services; and

WHEREAS, the amount of the donation is \$22,750.00 and funds are available in the Current Fund Account No 5-01-27-360-360-285 entitled "Better Beginnings Contribution", as evidenced by the Chief Financial Officer's Certification No. B2015-030.

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 is hereby authorized and directed to execute the attached Public Donor Agreement with Better Beginnings Day Care of East Windsor/Hightstown, NJ, Inc., 318 North Main Street, P.O. Box 187, Hightstown, New Jersey 08520, for a donation in the amount of \$22,750.00.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2015-186

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

There being six (6) ayes and no (0) nays, Resolution R2015-186 was approved

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Mr. Yeager reported on the Municipal Alliance having met earlier in the day where the 2nd quarter reporting deadlines and an Alliance Brochure.

Mayor Mironov stated that the Clean Communities committee met on October 22 where recycling day, the recycling puppet show, Sustainable Jersey status and a program a high school student has requested be researched. The Economic Development Committee met on November 5 where Township Business awards, suggestions for the website, and promotional materials with respect to business. Mayor Mironov also reported that she attended the Miss Next Level Youth 2016 pageant on October 23 where she was presented with the 2015 Humanitarian award for her work with community youth.

CORRESPONDENCE:

Correspondence received includes a Tax Collector's report dated October 2015. Also a letter dated October 23, from the New Jersey Turnpike Authority regarding the bridge repairs at Interchange 7A. A letter dated October 18, 2015 letter from the Surrogates office proposing dates for 2016. A letter dated October 22, 2015 from Sustainable Jersey indicating that East Windsor Township has achieved Silver Certification and will be recognized at the League of Municipalities Convention.

APPOINTMENTS: None

APPROVAL OF BILLS:

Mayor Mironov specified the bill lists presented for payment dated November 4 and 5, 2015. Mayor Mironov asked for further information on a bill to be paid from the forfeiture account to Point Blank Vision.

It was MOVED by Lippman, SECONDED by Zoller to approve the Bill Lists.

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

There being five (5) ayes and no (0) nays and one (1) abstention the presented Bill Lists dated November 4, and 5, 2015, were approved with request for clarification on one bill.

MATTERS BY COUNCIL: None

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2014 Municipal Audit was discussed earlier in the meeting

2. 2016 East Windsor Township Independence Day Celebration

Mayor Mironov asked for Council suggestions regarding the day of the week. Saturday July 2 or Sunday July 3 have been recommended with July 3rd as the rain date for July 2nd and a rain date of the following weekend for the rain date for July 3rd. Mayor and Council discussed further and tentatively held July 2nd with July 3rd for the rain date, pending clarification in the event of rain on both dates and how early cancellation must be done.

MATTERS BY PUBLIC:

Sean O'Connor – 152 Hickory Corner Road, Apt. 313, East Windsor spoke regarding his disapproval of the current form of government, the annual audit, and the Township debt.

ADJOURNMENT: 9:12pm

Closed Session: (Contract Negotiations: Dispatch Services; Animal Control Services); (Collective Bargaining: Policeman's Benevolent Association Local #191); (Litigation: Rescue Squad; East Windsor Township Declaratory Judgment); (Acquisition of Real Property: Route 130/Hankins Road/Conover Road Project)

Next Meeting: Tuesday, November 24 @ 7:30 p.m.

Gretchen McCarthy
Municipal Clerk

Janice S. Mironov
Mayor