

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, July 19, 2016

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 Tuesday, July 19, 2016

VERIFICATION:

Municipal Clerk Gretchen McCarthy certified that the meeting was noticed on January 14, 2016 in the annual meeting notice and on July 15, 2016, 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 meetings act have been satisfied.

FLAG SALUTE: Led by Nancy Lauderberger

ROLL CALL:

Present were Council Members Denise Daniels, Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager, John Zoller and Mayor Janice Mironov. Representing Township Attorney David E. Orron was William Moran. Also present were Township Manager James P. Brady and Municipal Clerk Gretchen McCarthy.

PRESENTATIONS & PROCLAMATIONS:

2015 East Windsor Township Business Awards

Mayor Mironov presented awards to:

Vijay Papaiya of East Windsor Bowl & Recreation Center for "Improvements and Contributions" to the Township

Connie Scotto of Scotto's Pizza & Restaurant for "Improvements and Contributions" to the Township

Leslie Koppel of RISE: A Community Service Partnership for "Special Community Enhancement Contributions" to the Township.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Interviewed was Rishab Solanki, who will be a Hightstown High School sophomore in September, and who is interested in the Environmental Commission or the Economic Development Committee.

Mayor Mironov appointed Rishab Solanki as a student member to the Environmental Commission.

PUBLIC COMMENT:

Kathy Suleski – 11 Pinehurst Drive, a 29 year resident, spoke regarding road maintenance and the condition of the property and truck parking at the vacant former State Police barracks.

MINUTES:

February 23, 2016
March 8, 2016
March 22, 2016
April 19, 2016
April 19, 2016 Closed Session
May 3, 2016
May 17, 2016
June 7, 2016
June 21, 2016
July 5, 2016

Mayor Mironov requested that all minutes listed be rescheduled.

ORDINANCE – PUBLIC HEARING:

Ordinance 2016-08 Bond Ordinance Providing for Various Capital Improvements of the Township of East Windsor, in the County of Mercer, New Jersey, Appropriating the Aggregate Amount of \$5,276,277 Therefor and Authorizing the Issuance of \$2,826,039 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Mayor Mironov stated that this Ordinance had been introduced on July 5, 2016, and at that time the public hearing was set for this agenda.

ORDINANCE NO. 2016-08

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$5,276,277 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,826,039 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of East Windsor, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$5,276,277, including a grant in the amount of \$2,041,500 expected to be received from the New Jersey Department of Environmental Protection No Net Loss Program for the purpose in Section 3(g)(7) and a \$260,000 grant expected to be received from the New Jersey Department of Transportation Municipal Aid Program for the purpose in Section 3(g)(4) (collectively the "State Grants") and further including the aggregate sum of \$148,738 as the several down payments for the improvements or purposes required by the Local Bond Law. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvements to be funded from the above referenced State Grants (\$2,301,500). The amount of the down payment appropriated is 5% of the \$2,974,777 in costs of the improvements which are not to be funded by the above referenced State Grants. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the State Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,826,039 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department</u>			
1) The acquisition of three (3) all-in-one copiers/printers/fax machines, including all related costs and expenditures incidental thereto.	\$23,000	\$21,850	5 years
2) The acquisition of twenty-six (26) Bushmaster XM-15 M4A3 Patrolman's Carbines (rifles), including all related costs and expenditures incidental thereto.	\$31,777	\$30,189	10 years
3) Communications Center Workstation in the Communications Center, including all related costs and expenditures incidental thereto.	\$20,000	\$19,000	10 years
b) <u>Fire Company #1</u>			
1) The acquisition of a Ladder Fire Truck, including all related costs and expenditures incidental thereto.	\$1,100,000	\$1,045,000	10 years
2) The acquisition of turnout gear, including all related costs and expenditures incidental thereto.	\$15,000	\$14,250	5 years
3) The acquisition of pagers			

and portable radios, including all related costs and expenditures incidental thereto.

\$8,000	\$7,600	10 years
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c) **Fire Company #2**

1) The acquisition of two (2) sport utility vehicles, including all related costs and expenditures incidental thereto.

\$95,000	\$90,250	5 years
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2) The acquisition of turnout gear, including all related costs and expenditures incidental thereto.

\$20,000	\$19,000	5 years
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3) The acquisition of a fire hose and nozzles, including all related costs and expenditures incidental thereto.

\$7,000	\$6,650	5 years
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4) Conversion and upgrades to utility truck, including all related costs and expenditures incidental thereto.

\$10,000	\$9,500	5 years
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5) The acquisition of radios, pagers and a Knox box system, including all related costs and expenditures incidental thereto.

\$10,000	\$9,500	10 years
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d) Public Works Department

1) The acquisition of two (2) 7 cubic yard dump trucks with plows and spreaders, including all related costs and expenditures incidental thereto.	\$355,000	\$337,250	5 years
2) The acquisition of portable tools, including all related costs and expenditures incidental thereto.	\$20,000	\$19,000	15 years
3) The acquisition of equipment for maintenance of leaf vacuum machines, including all related costs and expenditures incidental thereto.	\$18,000	\$17,100	15 years
4) The acquisition of a lawn mower, including all related costs and expenditures incidental thereto.	\$40,000	\$38,000	15 years
5) The acquisition of a light duty pavement roller, including all related costs and expenditures incidental thereto.	\$30,000	\$28,500	15 years

f) General Administration

1) The acquisition of an all-wheel drive sport utility vehicle, including all related costs and expenditures incidental thereto.	\$30,000	\$28,500	5 years
2) The acquisition of one (1) all-in-one copier/printer/fax machine, including all related costs and expenditures incidental thereto.	\$7,000	\$6,650	5 years

g) **Municipal Infrastructure**

1) The Annual Road Program to provide repairs and improvements to various roads throughout the Township, including all work and materials necessary therefor and incidental thereto.	\$700,000	\$665,000	10 years
2) Replacement of the Police/Court building roof, including all work and materials necessary therefor and incidental thereto.	\$255,000	\$242,250	15 years
3) General Building Repairs, including all work and materials necessary therefor and incidental thereto.	\$50,000	\$47,500	15 years
4) Improvements to Probasco Road, including all work and materials necessary therefor and incidental thereto.	\$260,000 (includes a \$260,000 grant expected to be received from New Jersey Department of Transportation Municipal Aid Program)	\$0	N/A
5) HVAC Upgrades, including all work and materials necessary therefor and incidental thereto.	\$65,000	\$61,750	15 years
6) General Park and Playground Improvements, including all work and materials necessary therefor and incidental thereto.	\$65,000	\$61,750	15 years

7) Phase III reforestation program, including all work and materials necessary therefor and incidental thereto.	<u>\$2,041,500</u> (includes a \$2,041,500 grant expected to be received from the New Jersey Department of Environmental Protection No Net Loss Program)	<u>\$0</u>	N/A
TOTAL:	<u>\$5,276,277</u>	<u>\$2,826,039</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to

the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.96 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the

Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,826,039, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grants referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion

of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Mironov declared the public hearing open regarding Ordinance 2016-08 and with no comment from the public being made, declared the public hearing closed.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Ordinance 2016-08 on second reading and authorize publication as required by law.

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

There being seven (7) ayes and no (0) nays, Ordinance 2016-08 was approved on second reading and authorized for publication as required by law.

ORDINANCE – INTRODUCTION:

Ordinance 2016-09 An Ordinance Amending and Supplementing Chapter XX, “Zoning”, Subsection 20-5.1604b., “Prohibited Signs” and Subsection 20-5.1607a.5., Under Subsection 20-5.1607, “Sign Regulations for Each Zoning District”, of the Revised General Ordinances of the Township of East Windsor

Mayor Mironov requested that introduction of this Ordinance be held to the Council meeting of August 2, 2016.

RESOLUTIONS:

Resolution R2016-106 Renewal of Alcoholic Beverage Control License for EDFRAN LLC., t/a David's Pub & Package

RESOLUTION R2016-106

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, ED FRAN, LLC, t/a David's Pub & Package, has filed an online application for renewal of Plenary Retail Consumption License No. 1101-33-001-007 with the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Municipal Clerk represented that the application is in order and the proper fee has been submitted to the Township of East Windsor and to the Division of Alcoholic Beverage Control; and

WHEREAS, no objections have been made to the renewal of said license; and

WHEREAS, the Chief of Police has advised that a review of police records and records supplied by the New Jersey Division of Alcohol Beverage Control do not reveal any facts or circumstances that would preclude license renewal; and

WHEREAS, the Health Officer has reported satisfactory results of the sanitary inspection.

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 approve the renewal of the aforesaid license for the year July 1, 2016 to June 30, 2017, and the Municipal Clerk is hereby authorized and directed to issue said license.

Mayor Mironov stated that this had been held at a prior meeting due to a lack of tax clearance certificate. It was confirmed with the Clerk that it has now been received. Mayor Mironov asked if there were any objections to the renewal of this license. No objections were stated.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2016-106.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-106 was approved.

Resolution R2016-132 Approval of Amendment to 2016 Municipal Capital Budget

Mayor Mironov requested that the style changes be made to the wording of this Resolution and further questioned whether the numbers in the attachment to the Resolution were supposed to mirror the Capital Ordinance just adopted. Township Manager Brady will obtain clarification for the Mayor and Council.

RESOLUTION R2016-132
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, the East Windsor Township 2016 municipal capital budget was adopted on April 19, 2016; and

WHEREAS, it is desired to amend the adopted 2016 municipal capital budget.

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 attached amendment to the 2016 capital budget is approved.
2. The Municipal Clerk shall provide two certified copies of this Resolution to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.

It was **MOVED** by Yeager, **SECONDED** by Lippman to approve Resolution R2016-132 with the changes and subject to clarification.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-132 was approved with the changes and subject the clarification.

Resolution R2016-133 Authorize Performance of Work and Equipment Installation for
Conversions of 2015 Police Vehicles by Winner Ford

Mayor Mironov stated that a recommendation has been received from the Chief of Police on this Resolution and also requested that the number in the first paragraph be spelled out.

RESOLUTION R2016-133
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to perform equipment conversions of five (5) East Windsor Police vehicles; and

WHEREAS, three (3) quotes were obtained for this service; and

WHEREAS, the lowest cost proposal was submitted by Winner Ford of Cherry Hill; 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 Police Chief's recommendations on said purchase; and

WHEREAS, the maximum amount of the purchase is \$5,367.80 and funds in the amount of \$5,367.80 are available in Account No. 6-01-25-240-301-263 entitled Motor Vehicles as evidenced by the Chief Financial Officer's Certification No. B2016-023.

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: Winner Ford of Cherry Hill, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 for the equipment conversion of five (5) police cars in the amount of \$1,073.56 each for an amount not to exceed \$5,367.80 in accordance with the attached quote.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2016-133 with the changes.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-133 was approved with the changes.

Resolution R2016-134 Approval of Purchase of Replacement Computers for the East Windsor Municipal Court from SHI

Mayor Mironov requested that the number be spelled out in the first paragraph and also noted that the Court Administrator has provided a recommendation on this matter.

RESOLUTION R2016-134

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need to purchase four (4) replacement computers and software for the East Windsor Township Municipal Court; and

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

WHEREAS, the lowest cost proposal was submitted by SHI; 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 Municipal Court Administrator's recommendations on said purchase; and

WHEREAS, the maximum amount of the purchase is \$3,657.64 and funds in the amount of \$3,657.64 are available in Account No. C-04-55-951-912-700 entitled Ordinance 2011-17, Acquisition of Computers as evidenced by the Chief Financial Officer's Certification No. C2016-010.

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: SHI, 290 Davidson Avenue, Somerset, NJ 08873, for four (4) HP ProDesk 400 Computers with Microsoft Office software in the amount of \$914.41 each for an amount not to exceed \$3,657.64 in accordance with the attached quote.

It was **MOVED** by Daniels, **SECONDED** by Yeager to approve Resolution R2016-134 with the changes.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-134 was approved with the changes.

Resolution R2016-135 Approve Award of Bid for the Resurfacing and Associated Repairs for Oak Creek Road between Oak Creek Circle and Hickory Corner Road to Richard T. Barrett Paving Co., Inc.

Mayor Mironov stated that recommendations on this have been received from the Township Manager and Public Works Director. Mayor Mironov also stated that this completes Oak Creek Road to Oak Creek Circle as previous portions were done in past year projects.

RESOLUTION R2016-135

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need to perform roadway repairs to Oak Creek Road between Oak Creek Circle and Hickory Corner Road; and

WHEREAS, a Notice of Bids was issued and posted/advertised on June 13, 2016, and seven (7) bids for the Resurfacing and Associated Repairs for Oak Creek Road between Oak Creek Circle and Hickory Corner Road were received by the East Windsor Township Municipal Clerk's Office on July 6, 2016; and

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

WHEREAS, the lowest responsible bid was submitted by Richard T. Barrett Paving Company, Inc.; and

WHEREAS, the maximum amount of the purchase is \$349,665.35 and sufficient funds are available in the Capital Account No. C-04-55-951-912-890 entitled Ordinance 2011-17 Annual Road Program in the amount of \$19,943.40, and Capital Account C-04-55-952-913-890 entitled Ordinance 2012-03 Capital Road Program in the amount of \$53,261.34, and Capital Account No. C-04-55-970-915-890 entitled Ordinance 2014-08 Annual Road Program in the amount of \$51,091.02, and Capital Account C-04-55-970-917-890 entitled Ordinance 2015-06 Annual Road Program in the amount of \$225,369.59 as evidenced by the Chief Financial Officer's Certification No. C2016-011.

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 Oak Creek Road between Oak Creek Circle and Hickory Corner Road be awarded to Richard T. Barrett Paving Company, Inc., 400 Prospect Street, Trenton, New Jersey, 08618 in an amount not to exceed \$349,665.35.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for the same.
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, DeSantis Construction, Inc., 491 Elizabeth Avenue, Somerset, NJ 08873, 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: S. Brothers, Inc., P. O. Box 317, South River, NJ 08882, The Earle Companies, P. O. Drawer 556, Farmingdale, NJ 07727, P. & A. Construction, Inc., P. O. Box 28, Colonia, NJ 07067, Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857 and Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2016-135.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-135 was approved.

Resolution R2016-136 Approve Award of Bid for the Resurfacing and Associated Repairs for Dutch Neck Road between Oak Creek Road and One Mile Road to Richard T. Barrett Paving Co., Inc.

Mayor Mironov asked that the first “Now Therefore” paragraph be amended by replacing the word “be” with the word “is” and also by adding to the end of the sentence, the phrase “, subject to and upon the effective date of Ordinance 2016-08”. This project is being funded through the Capital Ordinance adopted earlier in this meeting.

RESOLUTION R2016-136

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there is a need to perform roadway repairs to Dutch Neck Road between Oak Creek Road and One Mile Road; and

WHEREAS, a Notice of Bids was issued and posted/advertised on June 14, 2016, and eight (8) bids for the Resurfacing and Associated Repairs for Dutch Neck Road between Oak Creek Road and One Mile Road were received by the East Windsor Township Municipal Clerk’s Office on July 6, 2016; and

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

WHEREAS, the lowest responsible bid was submitted by Richard T. Barrett Paving Company, Inc.;
and

WHEREAS, the maximum amount of the purchase is \$166,848.18 and sufficient funds are available in the Capital Account No. C-04-55-980-919-890 entitled Ordinance 2016-08 Annual Road Program as evidenced by the Chief Financial Officer’s Certification No. C2016-012

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

1. The contract for the resurfacing and associated repairs for Dutch Neck Road between Oak Creek Road and One Mile Road is awarded to Richard T. Barrett Paving Company, Inc., 400 Prospect Street, Trenton, New Jersey, 08618 in an amount not to exceed \$166,848.18 subject to and upon the effective date of Ordinance 2016-08.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for the same.
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, P. & A. Construction, Inc., P. O. Box 28, Colonia, NJ 07067, 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: The Earle Companies, P. O. Drawer 556, Farmingdale, NJ 07727, DeSantis Construction, Inc., 491 Elizabeth Avenue, Somerset, NJ 08873, S. Brothers, Inc., P. O. Box 317, South River, NJ 08882, Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876, Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857 and Vision Construction Group, 10 Liberty Street, Edison, NJ 08837.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2016-136 with the changes.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-136 was approved with the changes.

Resolution R2016-137 Approval of Filing of Application with New Jersey Transit under the Federal Transit Administration (FTA) Section 5310 Program

Mayor Mironov stated that the grant application is in the process of being finalized. Application is being made for a new bus. Mayor Mironov also asked that the year noted in the fourth paragraph be double-checked for correctness. Council Member Zoller inquired on the bus to be funded. Mayor Mironov replied that application is being made for funding for a new, un-used bus.

RESOLUTION R2016-137

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, the Federal Transit Administration is authorized to fund the procurement of capital equipment including mass transit vehicles, to serve the elderly and persons with disabilities under Section 5310 of the Federal Transit Act, as amended; and

WHEREAS, New Jersey Transit administers the Section 5310 program in the State of New Jersey; and

WHEREAS, East Windsor Township operates a local bus service to serve the transportation needs of the elderly and the disabled in partnership with Mercer County and Hightstown Borough; and

WHEREAS, East Windsor Township was the recipient of a Section 5310 vehicle in 2008 which is in need of replacement.

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

1. The Mayor is hereby authorized to execute and file on behalf of East Windsor Township an application for a replacement vehicle with the New Jersey Transit pursuant to Section 5310 of the Federal Transit Act, as amended.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve Resolution R2016-137.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-137 was approved.

Resolution R2016-138 Authorize Partial Cancellation of \$150,000 Capital Fund Authorization under Ordinance 2014-08

Mayor Mironov amended paragraph two of the Resolution for clarification.

RESOLUTION R2016-138

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, Ordinance 2014-08, adopted on November 22, 2014, provided a multi-purpose ordinance which included the acquisition of a rapid response tactical truck, including all related costs, in the amount of \$150,000.00; and

WHEREAS, no debt has been incurred by the Township pursuant to this capital item in the ordinance; and

WHEREAS, it is necessary to formally cancel this portion of Ordinance 2014-08 in the amount of \$150,000 of which \$7,500 is capital improvement funds and \$142,500 of debt authorized.

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

1. The unissued debt authorized in Ordinance 2014-08 of \$142,500 is hereby canceled
2. The down payment amount of \$7,500 is hereby returned to the capital improvement fund.

It was MOVED by Shapiro, SECONDED by Yeager to approve Resolution R2016-138 with the changes.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-138 was approved with the changes.

Resolution R2016-139 Approval of Agreement with Community Grants Planning and Housing, LLC to Implement Housing Rehabilitation Program for 2016 Small Cities Community Development Block Grant

Mayor Mironov stated that revised Resolutions are included in Council's meeting folders and corrected the sixth paragraph. Mayor Mironov explained that a prior contract had been awarded to Community Grants Planning and Housing and this was attached to that documentation but it was not expressly identified or authorized. This will clean up this business item. Mayor Mironov also wished to reaffirm that East Windsor is not applying for a Small Cities Community Development grant this year.

RESOLUTION R2016-139

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, by Resolution R2015-152, adopted on August 4, 2015, the Mayor and Council approved filing of an application to the New Jersey Department of Community Affairs for a Small Cities Community Development Block Grant for a Housing Rehabilitation Program; and

WHEREAS, subsequently, the Township was notified that East Windsor was awarded a \$100,000 2016 Small Cities Community Development Block Grant for such purpose; and

WHEREAS, the Township solicited proposals on February 18, 2016 and on March 8, 2016 received one proposal for Housing Rehabilitation Administration Services, and by Resolution R2016-086, adopted on May 3, 2016, awarded the contract to the lowest responsive proposal, Community Grants, Planning and Housing, LLC (C.G.P. & H.); and

WHEREAS, the New Jersey Department of Community Affairs, as a condition of the grant, requires that the Township satisfy specific Grant Management Administration duties such as filing quarterly progress reports, filing fiscal monitoring reports on the SAGE system, conducting mid-point hearings, and attending up to two (2) state monitoring visits; and

WHEREAS, there now is a need for Grant Management Administration Services of the Housing Rehabilitation Program; and

WHEREAS, as pursuant to the Fair and Open Process, as defined in N.J.S.A. 19:44A-20.5, et seq., C.G.P.H. has been awarded the Housing Rehabilitation Services contract, they are best suited to handle these Grant Management Administration duties; and

WHEREAS, the maximum amount of the contract is \$13,305 for Grant Management Administration Services and funds are available in the Trust Fund Account No. T-13-56-857-810 entitled AH-Rehabilitation as evidenced by the Chief Financial Officer Certification No. T2016-011.

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 attached D.C.A. Grant Loan Agreement No. 2016-02292-0157-00, with Community Grants Planning and Housing, LLC, for the grant management administrative services of the 2016 Small Cities Community Development Block Grant Housing Rehabilitation Program is approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached agreement with Community Grants Planning and Housing, LLC.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2016-139 with the changes.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-139 was approved with the changes.

Resolution R2016-140 Approval of Developers Agreement for Gateway Twin Rivers LLC.

Mayor Mironov stated that the Resolution and Developers Agreement are included in Council's meeting folders. The Developer agreed to this late in the week and would like to move ahead on the project. It is in the best interests of the Township to move on this Resolution and consensus was reached by Mayor and Council that non-substantive changes made to the Agreement will not affect this approval.

RESOLUTION R2016-140

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, Gateway Twin Rivers, LLC, the owners of property known as Block 20.06, Lot 4 as shown on the official tax map of the Township of East Windsor, received Preliminary and Final Site Plan Approval with a Variance from the Planning Board on May 16, 2016 bearing application No. PB16-002; and

WHEREAS, the developer is required to enter into a Developer's Agreement and the same has been prepared by the Township Attorney.

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 to execute the Developer's Agreement with Gateway Twin Rivers, LLC, in the form attached hereto.
2. Township Engineer is authorized to take any and all action necessary to carry out the terms and conditions of the Agreement.
3. A copy of this Resolution certified to be a true copy be forwarded to the Township Engineer, the Township Attorney and Gateway Twin Rivers, LLC. .

It was **MOVED** by Lippman, **SECONDED** by Shapiro to approve Resolution R2016-140 with conditions.

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

There being seven (7) ayes and no (0) nays, Resolution R2016-140 was approved with conditions.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Deputy Mayor Yeager reported that the Municipal Alliance met on July 6 and discussed the permanent medicine drop box approved by the Mayor and Council, as well as 4th quarter reporting and a future brochure.

Council Member Zoller reported on the Economic Development Committee meeting held on July 7 where National Night Out and the table to be staffed at the event were discussed. The Township website and the gateway sign were also discussed. Mayor Mironov thanked Council Member Zoller for substituting as chairperson at the meeting.

CORRESPONDENCE:

Mayor Mironov will discuss under Matters by Council

APPOINTMENTS:

Mayor Mironov appointed Joseph Miczak as an auxiliary member to the Environmental Commission and Joseph Maria as an auxiliary member to the Economic Development Committee.

APPROVAL OF BILLS:

Mayor Mironov specified the various bill lists and trust fund lists presented for payment.

Council Member Shapiro inquired what electronic code hosting is as listed on the Current 2015 and Current 2016 bill lists. Township Manager Brady replied it is the cost for the Township Ordinances being available online. Council Member Zoller inquired whether Hights Farm Equipment is still in operation. Township Manager Brady replied that the business is still in operation but had moved. Council Member Zoller also inquired about 2nd quarter permit surcharge construction fees. Township Manager Brady stated that it is the amount to be paid to the State of New Jersey for each permit issued by the Township. Council Member Zoller also inquired about the H.V.A.C. bill on the Capital Bill list and asked that it be held for explanation, as did Mayor Mironov. Mayor Mironov stated that she is not going to object or remove the bill for White Eagle Printing, but that she feels that the vendor needs to have a better understanding about the quality and timeliness of Township business. Mayor Mironov also requested the Current 2016 page 3 towing bills be clarified.

It was MOVED by Lippman, SECONDED by Zoller to approve the presented Bill Lists subject to the questions raised.

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 subject to the questions raised.

MATTERS BY COUNCIL:

Mayor Mironov reminded Council that the August 2 meeting will start at 8:00 p.m. due to the National Night Out event.

Mayor Mironov reported the following received: a note responding to Mr. Zoller's question about the road striping on One Mile Road, a Tax Collector's report for the period ending June 30, 2016, a notice with respect to the extending the grace period for the third quarter taxes, a report regarding the GovDeal Auction. Mayor Mironov also reported received, a letter dated July 6, 2016 regarding the Transportation Trust Fund stop work orders issued, however, the Township does not appear to be affected by those stop work orders. Mayor Mironov stated that she received a letter dated July 1 from Riviera at East Windsor requesting additional trees under No Net Loss, which will be taken under consideration. Mayor Mironov also received a letter dated July 7 from Mercer County, regarding Mercer at Play, Phase II. Mayor Mironov stated that the pie chart to be included with the tax bills has been distributed. Mayor Mironov indicated that a Princeton Junction shuttle route change is being reviewed to assist residents and businesses. Mayor Mironov also stated that information has been distributed regarding the recent Affordable Housing court decision on the gap period, which may allow towns to move forward and put housing plans in place.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Police Court Building Solar Project Status

Mayor Mironov stated that a solar project has been previously discussed and awarded for the Police/Court building. Some Council Members had questions that were not covered by the contract and in an effort to keep Council informed, a review letter plus a sheet showing the layout from T& M Engineering is included in Council folders for this meeting. Mayor Mironov will inform Council Members when the developer is coming before the Township Planning Board.

MATTERS BY PUBLIC: None

ADJOURNMENT:

There being no further business, Mayor Mironov declared the meeting adjourned at 8:56 p.m.

Next Meeting: Tuesday, August 2, 2016 @ **8:00p.m.**

Gretchen McCarthy
Municipal Clerk

Janice S. Mironov
Mayor