

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday January 31, 2017

MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:00 p.m. on Tuesday, January 31, 2017.

VERIFICATION:

Municipal Clerk Gretchen McCarthy certified that the meeting was noticed on January 27, 2017 in the annual meeting notice and on January 9, 2017, notices were sent to the Trenton Times, filed in the office of the Municipal Clerk and posted in the East Windsor Municipal Building. All requirements of the open public meeting act have been satisfied.

FLAG SALUTE: Led by Patricia Hart, Executive Director of Womanspace.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

ADMINISTER OATH OF OFFICE TO NEW POLICE OFFICER

Mayor Mironov Administered the Oath of Office to New Police Officer Joseph V. Zucchero.

Human Trafficking Awareness – January 2017

Mayor Mironov presented a Proclamation to Pat Hart, the Executive Director of Womanspace, declaring January as Human Trafficking Awareness Month. Mayor Mironov spoke regarding the abhorrent crime of human trafficking, describing it as modern day slavery. The purpose of the awareness month/day is to make people aware that this matter is a problem in today's world and resources like Womanspace are there for the victims of these horrific crimes. Ms. Hart thanked Mayor Mironov and spoke briefly on the organization's services offered and the training received by Womanspace personnel to ask the appropriate questions in order to recognize and assist possible victims. Police Chief James Geary thanked the Mayor and Council for recognizing Human Trafficking Awareness month/day and expressed his hopes that the efforts of local law enforcement officials and organizations such as Womanspace can bring this issue to light.

Shalom Heritage Center 13th Annual Gala (January 29, 2017)

INTERVIEWS FOR BOARDS AND COMMISSIONS:

William Egbert was interviewed and interested in participating on the Planning Board or Environmental Commission. John M. Tyne was interviewed and interested in participating on the Green Team.

PUBLIC FORUM: No one spoke.

MINUTES:

June 7, 2016

It was MOVED by Lippman, SECONDED by Rosenberg that the June 7, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the June 7, 2016 minutes were approved.

July 5, 2016

It was MOVED by Rosenberg, SECONDED by Daniels that the July 5, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the July 5, 2016 minutes were approved.

July 19, 2016

It was MOVED by Zoller, SECONDED by Lippman that the July 19, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the July 19, 2016 minutes were approved.

August 2, 2016

It was MOVED by Zoller, SECONDED by Rosenberg that the August 2, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the August 2, 2016 minutes were approved.

August 16, 2016

It was MOVED by Rosenberg, SECONDED by Daniels that the August 16, 2016 minutes be approved.

ROLL CALL: Ayes – Daniels, Lippman, Rosenberg, Shapiro, Mironov

Nays – None
Abstains -- Zoller

There being six (6) ayes and no (0) nays and one (1) abstention, the August 16, 2016 minutes were approved.

August 16, 2016 Closed Session

It was MOVED by Lippman, SECONDED by Rosenberg that the August 16, 2016 Closed Session minutes be approved.

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

There being six (6) ayes and no (0) nays, the August 16, 2016 Closed Session minutes were approved.

September 20, 2016

It was MOVED by Zoller, SECONDED by Rosenberg that the September 20, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the September 20, 2016 minutes were approved.

October 4, 2016

It was MOVED by Lippman, SECONDED by Daniels that the October 4, 2016 minutes be approved.

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

There being six (6) ayes and no (0) nays, the October 4, 2016 minutes were approved.

October 4, 2016 Closed Session

It was MOVED by Zoller, SECONDED by Lippman that the October 4, 2016 Closed Session minutes be approved.

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

There being six (6) ayes and no (0) nays, the October 4, 2016 Closed Session minutes were approved.

October 18, 2016

November 1, 2016

November 22, 2016

November 22, 2016 Closed Session

December 6, 2016
December 20, 2016
December 20, 2016 Closed Session

Mayor Mironov requested that all remaining minutes listed on the agenda be rescheduled.

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance 2017-01 An Ordinance Amending Section XX, “Zoning,” Subsection 20-11, “R-M Residential Multifamily,” of the Revised General Ordinances of the Township of East Windsor, County of Mercer, State of New Jersey, to Add a New R-M 1 Zone to Provide for a Multifamily Residential Inclusionary Development and Amending the Zoning Map to Rezone Lots 3 and 3.02 in Block 3 from R-O to R-M1

**ORDINANCE NO. 2017-01
TOWNSHIP OF EAST WINDSOR
MERCER COUNTY
NEW JERSEY**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX, “ZONING,” SUBSECTION 20-11, “R-M RESIDENTIAL MULTIFAMILY,” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY, TO ADD A NEW R-M 1 ZONE TO PROVIDE FOR A MULTIFAMILY RESIDENTIAL INCLUSIONARY DEVELOPMENT AND AMENDING THE ZONING MAP TO REZONE LOTS 3 AND 3.02 IN BLOCK 3 FROM R-O to R-M1

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, that Chapter XX, “Zoning,” of the Revised General Ordinances of the Township of East Windsor is hereby amended and supplemented as follows with respect to Subsection 20-3.0225, “Definitions,” and Section 20-11, “R-M Residential Multifamily,” to add a new R-M 1 zone in order to provide for a multifamily residential inclusionary development.

SECTION 1. Subsection 20-3.0225, “Definitions,” of Chapter XX, “Zoning,” is hereby amended and supplemented by adding a new definition as 20-3.0225 (f):

20-3.0225 (f) **DWELLING, STACKED ATTACHED:** A dwelling unit in a multifamily dwelling containing three or more dwelling units separated vertically as well as horizontally with each unit having its own private entrance.

SECTION 2. Chapter XX, “Zoning,” is hereby amended and supplemented to add section 20-11A, “R-M1 – Residential Multifamily 1,” as follows:

20.11A R-M1 – Residential Multifamily 1.

20-11A.1 Intent. The intent of this zoning District is to facilitate the development of a multifamily inclusionary development to permit appropriate densities including a significant percentage of affordable housing in concert with the allowed density.

20-11A.2 Number of Dwelling Units Permitted and Affordable Units Required. The number of permitted dwelling units within the multifamily dwelling development shall be 187 with 38 units set-aside for very low, low and moderate income households.

20-11A.3 Principal Uses

- a. Dwelling, multifamily.
- b. Dwelling, attached.
- c. Dwelling, stacked attached.

20-11A.4 Accessory Uses

- a. Structures designed for recreation or community use as a part of the multifamily dwelling development.
- b. Private garages and carports.
- c. Residential swimming pools with outdoor dining area, outdoor barbeque and party deck.
- d. Dog runs.
- e. Tot lots.
- f. Walking paths with barbeque patios.
- g. Off-street parking facilities.
- h. Community Clubhouse with fitness room, club room and furnished model.
- i. Management and leasing offices.
- j. Maintenance office/garage building not to exceed one (1) story in height and 1,500 square feet in floor area. The façade design shall match the residential structures.
- k. Solid waste facilities.
- l. Signs. (See Township Ordinance Subsection 20-5.1607(b) for standards.)

20-11A.5 Conditional Uses.

a. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water, sewerage and cable television, but not offices, garages, warehouses, maintenance areas or similar commercially or industrially related operations of such companies or utilities. All such equipment, devices and structures shall be adequately screened from adjacent and surrounding properties and public ways.

20-11A.6 Bulk and Area Requirements.

- a. The R-M1 zone is designed to permit 187 multifamily units of which a minimum of thirty five percent (35%) shall be stacked attached dwelling units with the remaining to be comprised of multifamily units.
- b. Minimum parking setback from existing public streets shall be 100 feet and from the tract property line shall be 20 feet.
- c. Minimum landscaped buffer adjacent to existing public streets shall be 25 feet and to other property lines shall be 20 feet.

- d. Minimum distance from building to parking shall be 15 feet.
- e. Minimum distance between principle buildings shall be 25 feet.

See the Schedule of District Regulations of this chapter (to be added to the existing table)

Minimum Lot Area	Minimum Dimensions in Feet									Maximum Allowed			
	Lot width	Principle Building Yards				Accessory Bldg Setbacks from				% Bldg Coverg.	% Imprvmt. Covrg.	Bldg ht. in ft.	Bldg ht. in stories
		Front Yard	Side Yard	Both Side Yards	Rear Yard	Street Line	Side Line	Rear Line	Princ. Bldg.				
14 acres	500	100	50	100	NA	125*	35	NA	20	25	50	48	3

*Note: If there is not a principal structure located within 125 feet of the street line, the accessory building shall be located to the rear of the closest principal structure to the streetline as a minimum setback distance.

20-11A.7 Very Low, Low and Moderate Income Housing Requirements.

- a. The percentage of very low, low and moderate income housing shall be twenty percent (20%), rounded up, of the total number of dwellings.
- b. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1, et seq. and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1, et seq., except that instead of ten percent (10%) of the affordable units being made affordable to households earning 30 percent (30%) of median income, thirteen percent (13%) of the affordable units shall be made affordable to such households.

The affordable units shall also comply with the U.H.A.C. regulations related to bedroom distribution, range of affordability, pricing and rent of units, affirmative marketing, 30-year minimum affordability controls and construction phasing with the market rate units developed on the tract.

- c. Affordable housing units shall be affordable family rentals and shall not be age-restricted. The affordable housing units shall be dispersed within the multifamily dwelling units and not located in the stacked attached dwelling units.
- d. The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.

20-11A.8 Other Requirements

- a. Building Design. The design of the buildings shall be residential and not institutional and shall conform to the following:

1. Architectural elevations and floor plans shall be provided for each type of building.
 2. Maximum length of buildings shall not exceed 300 feet.
 3. Variations in setback, materials, colors and design including breaks in the building façade shall be encouraged to reduce and separate the building mass.
 4. Rooflines shall be pitched. If flat roofs are provided, they shall incorporate design techniques to shield any roof mounted equipment.
 5. All HVAC and mechanical equipment shall be adequately screened from view.
 6. All units shall be designed in a unified architectural style.
- b. Circulation and Parking.
1. At least one-half of the multifamily or attached dwellings shall be provided a parking space in a garage.
 2. A boulevard street entry shall be provided with access to Old Trenton Road and be provided with the landscape architectural treatment in accordance with Township Ordinance Section 22-27.3(a.).
 3. Internal streets shall be provided with the landscape architectural treatment in accordance with an informal street tree planting standards at Township Ordinance Section 22-27.3(b.).
 4. An emergency access drive shall be provided to Old Trenton Road approximately 900 feet west of the entry road.
 5. Pedestrian and bicycle circulation systems shall be designed to extend through and connect with open space and common areas.
- c. Open Space.
1. A minimum of thirty percent (30%) of the tract shall be specifically set aside for conservation, recreation and/or other open space.
 2. No more than one-half of the minimum thirty percent (30%) of land area may be wetlands, wetlands buffer, 100-year flood plains or lands with a topographic slope of fifteen percent (15%) or greater.
- d. Utilities/Services. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.

SECTION 3. Subsection 20-2.0002, "Zoning Map", of the General Ordinances of East Windsor Township is hereby amended in its entirety to read as follows:

20-2.0002 ZONING MAP. The map entitled "East Windsor Township Zoning Map," adopted July 28, 1976, together with all notations thereto and with the revisions and amendments to said map up to and including February 3, 2017, along with a "Supplemental Zoning Map" dated April 23, 2013, are adopted together as the "Zoning Map" of the Township of East Windsor, with a copy of each map attached hereto and made a part hereof by reference, and which are on file in the office of the municipal clerk. (The Zoning Map may be found at the end of this chapter and the Supplemental Zoning Map is on file in the office of the municipal clerk.)

a. *Amendments:* For informational purposes, the area of East Windsor Township to be rezoned into the new "CR" Corridor Revitalization zoning district includes approximately 138.2 acres of developable land along the Route 33 corridor between Route 130 and Hightstown Borough, with approximately 94.6 developable acres currently zoned "HC" Highway Commercial and approximately 43.6 acres currently zoned "I-O" Industrial Office.
(Ord. No. 2013-05)

For informational purposes and not to be codified: The effect of this Section 3 of Ordinance 2017-01 is to rezone the property known as Block 3, Lots 3 and 3.02, located on Old Trenton Road south of the intersection of Princeton-Hightstown Road, from R-O to the new R-M1 zone.

SECTION 4. All ordinances or parts thereof which are inconsistent or conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION 5. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged to be invalid by a Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause if this Ordinance, or any other ordinance which is referred to herein, and to this end, the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance are hereby declared to be severable. Should any clause, sentence or other part of this ordinance be judged invalid by a Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 6. This Ordinance shall take effect twenty (20) days after the final adoption, publication and the filing of this Ordinance with the Mercer County Planning Board, all in accordance with law.

Mayor Mironov stated an updated Ordinance is in Council meeting folders this evening with some minor grammatical changes.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Ordinance 2016-017 on introduction, authorize publication as required by law and set public hearing for February 28, 2017 and referred to Township Planning Board for comment.

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

There being six (6) ayes and no (0) nays Ordinance 2016-01 was approved on introduction, authorized for publication as required by law and the public hearing was set for February 28, 2017 and referred to Township Planning Board for comment.

Ordinance 2017-02 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 \$998,000 Therefor and Authorizing the Issuance of \$948,100 Bonds or Notes of the Township to Finance Part of the Cost Thereof.

ORDINANCE NO. 2017-02
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
IN AND BY THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF
MERCER, NEW JERSEY, APPROPRIATING \$998,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$948,100 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 \$998,000, and further including the aggregate sum of \$49,900 as the several down payments for the improvements or purposes required by the Local Bond Law. The amount of the down payment appropriated is 5% of the \$998,000 in costs of the improvements. 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$948,100 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>
<u>a) General Administration</u>			
1) The acquisition of one (1) all-in-one copier/printer/fax machine, including all related costs and expenditures incidental thereto.	\$10,000	\$9,500	5 years
2) The acquisition of mid-back and high back desk chairs, including all related costs and expenditures incidental thereto.	\$9,700	\$9,215	5 years
3) The acquisition of two (2) storage containers, including all related costs and expenditures incidental thereto.	\$3,300	\$3,135	5 years
<u>f) Municipal Infrastructure</u>			
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.			
2) Replacement of the Police/Court building roof, including all work and materials necessary therefor and incidental thereto.			
3) Replacement and improvement of the ventilation and heating system for the East Windsor Municipal Building, including	\$600,000	\$570,000	10 years

all work and materials necessary therefor and incidental thereto.	\$50,000	\$47,500	15 years
4) Various capital improvements, including approximately 1400 feet of 8 foot wide bituminous bike and pedestrian path, water main extension and associated hydrants, sewer valve, manhole and force main, and/or off-tract water main improvements.	\$250,000	\$237,500	15 years
	\$75,000	\$71,250	10 years
TOTAL:	<u>\$998,000</u>	<u>\$948,100</u>	N/A

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, except as otherwise provided by separate ordinance, 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 9.29 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 \$948,100, 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. 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 9. 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 10. 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 stated the Township Manager provided Council with a memo regarding the proposed infrastructure items previously discussed.

It was MOVED by Zoller, SECONDED by Lippman to approve Ordinance 2016-02 on introduction, authorize publication as required by law and set public hearing for February 14, 2017.

Mayor Mironov stated that the temporary capital plan will be adopted tonight which is compliant with the Ordinance, and the supplemental debt statement has been prepared and filed with the Municipal Clerk.

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

There being six (6) ayes and no (0) nays Ordinance 2016-02 was approved on introduction, authorized for publication as required by law and the public hearing was set for February 14, 2017.

Ordinance 2017-03 An Ordinance to Authorize the Acceptance of the Assignment of a Billboard Easement Agreement for a Portion of the Property Designated on East Windsor Township Tax Maps as Lots 1.01 and 1.02 in Block 13

**ORDINANCE NO. 2017-03
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER
NEW JERSEY**

**AN ORDINANCE TO AUTHORIZE THE ACCEPTANCE OF THE
ASSIGNMENT OF A BILLBOARD EASEMENT AGREEMENT FOR A
PORTION OF THE PROPERTY DESIGNATED ON EAST WINDSOR
TOWNSHIP TAX MAPS AS LOTS 1.01 AND 1.02 IN BLOCK 13**

WHEREAS, under the terms of a Billboard Easement Agreement between Exeter Wyckoff Mills, LLC, as Grantor and 329 Wyckoff Mills Road Limited Liability Company, as Grantee, dated June 30, 2016, 329 Wyckoff Mills Road Limited Liability Company acquired an easement through portions of Lots 1.01 and 1.02 in Block 13 on East Windsor Township Tax Maps to install, maintain, operate, repair, replace and provide utility service to billboard signs within the easement area and to receive the revenue therefrom; and

WHEREAS, 329 Wyckoff Mills Road Limited Liability Company has proposed to assign its interest in the said Billboard Easement Agreement to the Township of East Windsor, at no cost to the Township; and

WHEREAS, it is in the best interest of the Township of East Windsor to accept the assignment of said Billboard Easement Agreement;

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

I

The Township of East Windsor hereby accepts delivery of the attached Assignment of Billboard Easement Agreement from 329 Wyckoff Mills Road Limited Liability Company for property known as Lots 1.01 and 1.02 in Block 13 on the East Windsor Township Tax Maps, at no cost to the Township.

II

The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Assignment of Billboard Easement Agreement. The Municipal Clerk is further authorized and directed to record the attached Assignment of Billboard Easement Agreement in the Office of the Mercer County Clerk.

III

SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance

IV

EFFECTIVE DATE

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

Mayor Mironov stated this Ordinance is the required procedure and relates to the former NL property that the Township is redeveloping, and related agreement which assigns the Township the rights of the billboard easement.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve Ordinance 2016-03 on introduction, authorize publication as required by law and set public hearing for February 14, 2017.

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

There being six (6) ayes and no (0) nays Ordinance 2016-03 was approved on introduction, authorized for publication as required by law and the public hearing was set for February 14, 2017.

Mayor Mironov suggested moving to discussion item #3 Redevelopment of Former NL Site at this point of the meeting since the Resolution pertains to previously adopted Ordinance 2017-03.

Mayor Mironov stated a memo was prepared and provided from bond council regarding the documents and this has been discussed previously with developers and owners of the site. Three documents that require action tonight. The first is a resolution that is needed to designate the developer of the site and authorizes the redevelopment agreement for the property located on Wyckoff Mills Road at Block 13, Lots 1.01 and 1.02, which constitutes the property that went before the planning board for redevelopment. The second document is an ordinance that approves the application and financial agreement and the third is an ordinance that provides for a special assessment and approves the agreement for the special assessment.

Michael Floyd, Archer & Grindler introduced Henry Steinberg from Exeter Property Group to explain the time frame for the property redevelopment. Mr. Steinberg stated demolition of the existing buildings is essentially complete and the old water tower is scheduled to come down on February 8th. Henry stated, after tonight's meeting he stated they will get the clearing permit to start clearing the sight and are three weeks away from doing the full complete sight work and start on construction. He also stated the insurerty bond was received to satisfy the performance guarantee and checks will be issued once everything has been approved.

Mayor Mironov noted that all the documents were signed by Exeter representatives.

3. Redevelopment of Former NL Site

- 3a. Resolution R2017-026** Designating Exeter Wyckoff Mills Urban Renewal, L.L.C. as Redeveloper and Authorizing the Execution of a Redevelopment Agreement for Block 13, Lots 1.01 and 1.02, Pursuant to the Local Redevelopment and Housing Law. *N.J.S.A. 40A:12A-1, et seq.*

**RESOLUTION R2017-026
TOWNSHIP OF EAST WINDSOR
MERCER COUNTY**

**RESOLUTION OF THE TOWNSHIP OF EAST WINDSOR, COUNTY OF
MERCER, DESIGNATING EXETER WYCKOFF MILLS URBAN RENEWAL,
LLC AS REDEVELOPER AND AUTHORIZING THE EXECUTION OF A
REDEVELOPMENT AGREEMENT FOR BLOCK 13, LOTS 1.01 & 1.02,
PURUSANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,
*N.J.S.A. 40A:12A-1 ET SEQ.***

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, the Township Council (“Township Council”) of the Township of East Windsor (“Township”) adopted a resolution designating the area consisting of the parcels known as Block 13, Lots 1.01 and 1.02 on the Township’s tax map (together, the “Redevelopment Area”), as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, on October 13, 2015, the Township Council adopted Ordinance Number 2015-11, approving and adopting a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, Exeter Wyckoff Mills Urban Renewal, LLC (“Exeter”) proposes to redevelop the Redevelopment Area by constructing a project thereon consisting of a building containing approximately 634,495 square feet of warehouse and office space, with supporting parking, landscaping and site improvements (the “Project”) and Exeter desires to be designated by the Township as the “redeveloper” (as defined in the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, the Township finds that Exeter’s proposal is in the best interests of the Township; and

WHEREAS, in order to set forth the terms and conditions under which Exeter will undertake the redevelopment of the Redevelopment Area, the Township and Exeter desire to enter into a redevelopment agreement; and

WHEREAS, the Township Council now desires to (i) designate Exeter as the redeveloper of the Redevelopment Area and (ii) authorize the execution of a redevelopment agreement (the “Redevelopment Agreement”) between the Township and Exeter in substantially the same form as that on file with the Township Clerk.

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

1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
2. The Mayor is hereby authorized to execute the Redevelopment Agreement in substantially the same form as that on file with the Township Clerk, subject to such minor additions, deletions, modifications or amendments deemed necessary by the Mayor in her discretion in consultation with counsel, which minor additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Redevelopment Agreement.
3. Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Exeter is hereby

designated as “redeveloper” (as defined in the Redevelopment Law) of the Redevelopment Area.

4. This Resolution shall take effect immediately.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2017-026.

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

There being six (6) ayes and no (0) nays, Resolution R2017-026 was approved.

3b. Ordinance 2017-04 An Ordinance of the Township of East Windsor, County of Mercer, Approving the Application and Financial Agreement for Tax Exemption in Connection with the Redevelopment of Block 13, Lots 1.01 and 1.02

**ORDINANCE NO. 2017-04
TOWNSHIP OF EAST WINDSOR
MERCER COUNTY
NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF EAST WINDSOR, COUNTY OF
MERCER, APPROVING THE APPLICATION AND FINANCIAL AGREEMENT
FOR TAX EXEMPTION IN CONNECTION WITH THE REDEVELOPMENT OF
BLOCK 13, LOTS 1.01 & 1.02**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the “Redevelopment Law”), the Township Council (“Township Council”) of the Township of East Windsor (“Township”) adopted a resolution designating the area consisting of the parcels known as Block 13, Lots 1.01 and 1.02 on the Township’s tax map (together, the “Redevelopment Area”), as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, on October 13, 2015, the Township Council adopted Ordinance Number 2015-11, approving and adopting a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, the Township Council adopted a resolution (i) designating Exeter Wyckoff Mills Urban Renewal, LLC (“Exeter”) as the redeveloper of the Redevelopment Area and (ii) authorizing the execution of a redevelopment agreement (the “Redevelopment Agreement”) with Exeter; and

WHEREAS, pursuant to the Redevelopment Agreement, Exeter will redevelop the Redevelopment Area by constructing a project thereon consisting of a building containing approximately 634,495 square feet of warehouse and office space, with supporting parking, landscaping and site improvements (the “Project”); and

WHEREAS, Exeter submitted to the Township an application (the “Application”) for tax exemption in connection with the Project, which application is on file with the Township Clerk, requesting an exemption from taxes for the improvements constituting the Project pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “Long Term Tax Exemption Law”); and

WHEREAS, the Application includes a proposed form of financial agreement (the “Financial Agreement”); and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Township Council with her recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law.

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

1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
2. The Application and Financial Agreement are hereby approved.
3. The Mayor is hereby authorized to execute the Financial Agreement in substantially the same form as that attached to the Application, subject to such minor additions, deletions, modifications or amendments deemed necessary by the Mayor in her discretion in consultation with counsel, which minor additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Financial Agreement.
4. This Ordinance shall take effect in accordance with applicable law.

It was MOVED by Lippman, SECONDED by Zoller to approve Ordinance 2016-04 on introduction, authorize publication as required by law and set public hearing for February 14, 2017.

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

There being six (6) ayes and no (0) nays Ordinance 2016-04 was approved on introduction, authorized for publication as required by law and the public hearing was set for February 14, 2017.

3c. Ordinance 2017-05 An Ordinance of the Township of East Windsor, in the County of Mercer, New Jersey, Providing for the Special Assessment

of the Cost of Certain Other Infrastructure Improvements in the Redevelopment Area Consisting of Block 13, Lots 1.01 and 1.02, and Approving Agreement in Connection Therewith.

ORDINANCE NO. 2017-05
TOWNSHIP OF EAST WINDSOR
MERCER COUNTY
NEW JERSEY

AN ORDINANCE OF THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN OTHER INFRASTRUCTURE IMPROVEMENTS IN THE REDEVELOPMENT AREA CONSISTING OF BLOCK 13, LOTS 1.01 AND 1.02, AND APPROVING AGREEMENT IN CONNECTION THEREWITH

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), the Township Council (“Township Council”) of the Township of East Windsor (“Township”) adopted a resolution designating the area consisting of the parcels known as Block 13, Lots 1.01 and 1.02 on the Township’s tax map (together, the “Redevelopment Area”), as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, on October 13, 2015, the Township Council adopted Ordinance Number 2015-11, approving and adopting a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, Exeter Wyckoff Mills, LLC (the “Owner”), an affiliate of Exeter Wyckoff Mills Urban Renewal, LLC (the “Redeveloper”), owns the Redevelopment Area; and

WHEREAS, the Township and the Redeveloper, entered into that certain Redevelopment Agreement (the “Redevelopment Agreement”), pursuant to which the Redeveloper agreed to redevelop the Redevelopment Area by constructing thereon a project including approximately 634,495 square feet of warehouse/office space, with supporting parking and on-site and off-site infrastructure improvements (the “Project”); and

WHEREAS, the redevelopment described in the Redevelopment Agreement requires the Redeveloper to construct certain infrastructure improvements, including 1400 feet of 8’ wide bituminous bike and pedestrian path, water main extension and associated hydrants, sewer valve, manhole and force main, and/or off-tract water main (collectively, the “Infrastructure Improvements”); and

WHEREAS, the Infrastructure Improvements will be, and are intended to be, “local improvements” within the meaning of the Local and Other Improvements Law, *N.J.S.A. 40:56-1, et seq.*, as amended and supplemented (the “Local Improvements Law”) and such improvements will benefit the Redevelopment Area; and

WHEREAS, despite the Redeveloper’s investment of equity and borrowed funds, such amounts are insufficient to pay for all of the costs associated with the development and construction of the Project and the Infrastructure Improvements; and

WHEREAS, to defray some of the costs of the Infrastructure Improvements, thereby making the Project viable, the Township will issue bonds (the “Redevelopment Bonds”) pursuant to the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A 64-1 et seq.* (the “Bond Financing Law”); and

WHEREAS, the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “Long Term Tax Exemption Law”) and the Bond Financing Law authorize the Township to accept, in lieu of real property taxes, an annual service charge paid by the Redeveloper; and

WHEREAS, the Redeveloper will enter into a financial agreement (the “Financial Agreement”), pursuant to which it will pay an annual service charge to the Township, a portion of which will be used by the Township to pay debt service due on the Redevelopment Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, AS FOLLOWS:

Section 1. The recitals hereof are incorporated by reference as it is set forth at length herein.

Section 2. The Township intends to make and to levy a special assessment against the Redevelopment Area in an aggregate amount not to exceed \$75,000 in accordance with the special assessment agreement in substantially the same form as that on file with the Township Clerk (the “Special Assessment Agreement”). Such special assessment shall be made and levied in the manner provided by law and, pursuant to Section 3 of the Bond Financing Law (*N.J.S.A. 40A:12A-66c*), the Owner of the property so benefitted (ie, the Redevelopment Area) shall accept such specific amount as the benefit conferred on such property in lieu of the amount being determined by the procedures otherwise applicable to determining the actual benefit conferred on such properties. The Special Assessment Agreement is hereby approved.

Section 3. Notice is hereby given to the Owner that the Township intends to make and levy a special assessment against the parcels that constitute the Redevelopment Area in the amount and at the time that the Infrastructure Improvements have been completed. The estimated aggregate cost of the portion of the Infrastructure Improvements to be financed by the Township is \$75,000 (subject to the actual costs of the Infrastructure Improvements at the time of installation as certified to the Township Engineer), provided that the special assessment for the properties constituting the Redevelopment Area shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the respective parcel shall be deemed to receive by reason of the Infrastructure Improvements.

Section 4. The Owner consents to the imposition of the Special Assessment and agrees to pay, through itself or its affiliate, the Redeveloper, such assessment in

accordance with the terms and provisions of the Special Assessment Agreement. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, the whole assessment or the balance thereof shall become and be immediately due and payable, shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment, with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 5. The Mayor and Township Clerk, if necessary, are hereby authorized to execute and, if necessary, attest, the Special Assessment Agreement in substantially the same form as that on file with the Township Clerk, such Special Assessment Agreement being hereby approved in full with such additions, deletions and modifications as deemed necessary.

Section 6. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.

It was MOVED by Daniels, SECONDED by Rosenberg to approve Ordinance 2016-05 on introduction, authorize publication as required by law and set public hearing for February 14, 2017.

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

There being six (6) ayes and no (0) nays Ordinance 2016-05 was approved on introduction, authorized for publication as required by law and the public hearing was set for February 14, 2017.

RESOLUTIONS:

Resolution R2017-009 Establishing 2017 Temporary Municipal Capital Budget

**RESOLUTION R2017-009
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Township desires to constitute the 2017 Temporary Municipal Capital Budget by inserting therein various capital projects.

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 2017 Temporary Municipal Capital Budget of East Windsor Township is hereby constituted by the adoption of the attached schedule.
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.

Mayor Mironov stated this is required for the capital ordinance and the finance director provided council with information.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2017-009.

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

There being six (6) ayes and no (0) nays, Resolution R2017-009 was approved.

Resolution R2017-010 Authorizing Declarations of Taking for 6 Conover Road (Block 46, Lot 1) and 20 Conover Road (Block 46, Lot 2) in Connection with the Route 130/Hankins Road/Conover Road Realignment Project

**RESOLUTION R2017-010
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Ordinance No. 2016-03, adopted on February 3, 2016, the Township authorized the acquisition of property known as Lot 1 in Block 46, and a right of way and temporary construction easement through Lot 2 in Block 46, through the power of eminent domain, in connection with the Route 130-Hankins Road-Conover Road Realignment Project; and

WHEREAS, an eminent domain action to acquire these property interests was filed in the Superior Court of New Jersey, Law Division, Mercer County on September 9, 2016, under Docket No. MER-L-1802-16; and

WHEREAS, in order to proceed with the Route 130-Hankins Road- Conover Road Realignment Project, it is necessary for the Township to acquire possession of the required property interest in Lots 1 and 2 in Block 46 by the filing of Declarations of Taking; and

WHEREAS, upon the filing of the Declarations of Taking to acquire possession of the required property interest in Lots 1 and 2 in Block 46, the Township is required to deposit into court the amount of the estimated compensation, as set forth in the Verified Complaint in Eminent Domain; and

WHEREAS, the estimated compensation for the acquisition of Lot 1 in Block 46 is \$190,000.00, as set forth in the Verified Complaint of Eminent Domain; and

WHEREAS, the estimated compensation for the right-of-way and temporary construction easement through lot 2 in Block 46 is \$13,000.00 as set forth in the Verified Complaint of Eminent Domain; and

WHEREAS, the total amount to be deposited into court for the estimated compensation for the property interests being acquired in the pending eminent domain action is \$203,000.00 and funds in the amount of \$203,000.00 are available in Account No. V-20-56-852-856 entitled Reserve for Transportation Improvements, and as evidenced by the Chief Financial Officer's Certification No. T2017-001; and

WHEREAS, the Township has reviewed the memorandum from the Township Attorney on this subject:

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

1. The Township Manager is hereby authorized and directed to execute the attached Declaration of Taking for Lot 1 in Block 46 and the attached Declaration of Taking for Lot 2 in Block 46.
2. The Township Manager and Chief Financial Officer are hereby authorized and directed to issue a check in the amount of \$203,000.00 payable to Superior Court of New Jersey, as estimated compensation for the property interests to be acquired in the pending eminent domain action filed in the Superior Court of New Jersey, Law Division, Mercer County on September 9, 2016, under Docket No. MER-L-1802-16.
3. The Township Attorney is hereby authorized to take all steps necessary to process, file and record the attached Declarations of Taking and to deposit the estimated compensation in the amount of \$203,000.00 with the Court.

Mayor Mironov stated this was listed on the agenda and the Township is being optimistic about a conclusion on the project. Mayor Mironov stated she received good feedback from the Township Attorney, the Township Engineer and the Redevelopment Attorney but is not completely satisfied and is requiring that DOT signoff on the project in order to go out to bid. Mayor Mironov stated she requested written information as of yesterday and at the request of Mayor Mironov, the Council agreed to hold Resolution 2017-010.

Resolution R2017-011 Approval of Professional Services Agreement with David E. Orron of Huff, Moran and Orron for Township Attorney

**RESOLUTION R2017-011
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of an attorney-at-law, for the term of January 1, 2017 through December 31, 2017, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township solicited proposals on October 3, 2016 and received one (1) proposal for Township Attorney by the receipt date of November 3, 2016; and

WHEREAS, the proposal received from David E. Orron, of the Law Firm of Huff, Moran and Orron was responsive; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services” pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, funds will be available in the Legal Services Account No. 7-01-20-155-105-249 entitled Licensed Professional, pending the adoption of the 2017 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2017-001.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement with David E. Orron, of the Law Firm of Huff, Moran and Orron, 1246 South River Road, Cranbury, New Jersey 08512.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2017-011.

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

There being six (6) ayes and no (0) nays, Resolution R2017-011 was approved

Resolution R2017-012 Approval of Professional Services Agreement with T & M Associates for Township Engineer

**RESOLUTION R2017-012
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of an Engineering Consultant, for the term of January 1, 2017 through December 31, 2017, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township solicited proposals on October 17, 2016 and received five (5) proposals for Township Engineering Services by the receipt date of November 17, 2016; and

WHEREAS, the most responsive proposal was received from T&M Associates, Inc; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services”, pursuant to N.J.S.A. 40A:11-5(1) (a) (i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, funds are available in Developer Escrow funds, and in addition, the maximum amount of the contract is \$5,000.00 and funds are available in Current Fund Account No. 7-01-20-165-411-249 entitled Engineering-Licensed Professional, pending the adoption of the 2017 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2017-002.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for a term of January 1, 2017 to December 31, 2017 with T&M Associates, Inc., 1256 North Church Street, Moorestown, New Jersey 08057.
2. This Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

Mayor Mironov stated a recommendation was received on Resolution R2017-012. Mayor Mironov stated though she is in support of T & M Associates as the Township Engineer, she would like to condition Resolution R2017-012 to discuss the fees in the agreement.

It was **MOVED** by Lippman, **SECONDED** by Zoller to approve Resolution R2017-012 with the condition subject to discuss the fees in the agreement.

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

There being six (6) ayes and no (0) nays, Resolution R2017-012 was approved with the condition subject to discuss the fees in the agreement.

Resolution R2017-013 Approval of Professional Services Agreement with Richard Preiss of Phillips, Preiss and Grygiel, L.L.C. for Township Planner

**RESOLUTION R2017-013
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of a Planning Consultant, for the term of January 1, 2017 through December 31, 2017, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township solicited proposals on October 17, 2016 and received two (2) proposals for Planning Consultant by the receipt date of November 17, 2016; and

WHEREAS, the most responsive proposal was received from Philips, Preiss, Grygiel; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for "Professional Services" pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, funds are available in Developer Escrow funds, and in addition, the maximum amount of the contract to be paid from the municipal budget is \$10,000.00 and funds for that portion of the contract are available in the Current Fund Account No. 7-01-22-180-107-249 entitled Planning-Licensed Professional pending the adoption of the 2016 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2017-003.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for a term of January 1, 2017 to December 31, 2017 with Philips, Preiss, Grygiel, 33-41 Newark Street, Suite D, 3rd Floor, Hoboken, NJ 07030.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

Mayor Mironov stated a recommendation was received on Resolution R2017-013.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve Resolution R2017-013.

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

There being six (6) ayes and no (0) nays, Resolution R2017-013 was approved

Resolution R2017-014 Approval of Professional Services Agreement with Daniel Dobromilsky of the firm Daniel Dobromilsky and Associates for Township Landscape Architect

RESOLUTION R2017-014
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for the services of a Landscape Architect, for the term of January 1, 2017 through December 31, 2017, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township solicited proposals on October 17, 2016 and received three (3) proposals for Landscape Architect by the receipt date of November 17, 2016; and

WHEREAS the most responsive proposal was received from Daniel Dobromilsky & Associates; and

WHEREAS, a contract for this professional service may be awarded without public advertising for bids as the contract is for “Professional Services” pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, funds are available in the Escrow Account entitled Various Escrow Accounts by application number, and future grant account, as evidenced by the Chief Financial Officer’s Certification No. E2017-001.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement with Daniel Dobromilsky & Associates, 7 Hillside Avenue, Jamesburg, New Jersey 08831 for a term of January 1, 2017 to December 31, 2017.
2. This Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by person(s) authorized by law to practice a recognized profession that is regulated by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.

3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

Mayor Mironov stated a recommendation was received on Resolution R2017-014.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2017-014.

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

There being six (6) ayes and no (0) nays, Resolution R2017-014 was approved.

Resolution R2017-015 Authorizing Purchase of Software Maintenance Updates for Finance Department with Edmunds Associates, Inc.

RESOLUTION R2017-015
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase software enhancements and maintenance of the Edmunds software system for the Finance Department; and

WHEREAS, Edmunds & Associates Inc. is the sole provider and has not authorized maintenance of their software by any other vendor; 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 Finance Director's and Township Manager's recommendation on said purchase; and

WHEREAS, the maximum amount of the purchase is \$13,689.00 and funds are available in the Current Account No. 7-01-20-140-140-245 entitled Data Processing, as evidenced by the Chief Financial Officer's Certification No. B2017-004.

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 Edmunds

& Associates, Inc., Attn: Accounts Receivable, 301 A Tilton Road, Northfield, New Jersey 08225 for the purchase of 2015 Software Maintenance System for the East Windsor Township Finance Department, in an amount not to exceed \$13,689.00, all in accordance with the attached quote.

Mayor Mironov stated a recommendation was submitted to Council on behalf of the Finance Director and Manager. Mayor Mironov pointed out a few minor typos to the resolution that needs to be corrected and also noted that the pricing has remained the same since last year.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2017-015 with the changes.

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

There being five (5) ayes and no (0) nays, Resolution R2017-015 was approved with the changes.

Councilmember Lippman stepped away and did not vote on Resolution R2017-015.

Resolution R2017-016 Authorizing Cancellation of Small Tax Balances

**RESOLUTION R2017-016
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Tax Collector has certified that small balances exist on various properties; and

WHEREAS, these balances should be cancelled.

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 Tax Collector is hereby authorized and directed to cancel balances as detailed on the attached Tax Collector's list, dated December 14, 2016, to Cancel Small Balances pursuant to N.J.S.A. 40A:5-17.

Mayor Mironov stated the second page needs the attachment to be changed.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve Resolution R2017-016 subject to the change.

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

There being five (5) ayes and no (0) nays, Resolution R2017-016 was approved subject to the change.

Councilmember Lippman stepped away and did not vote on Resolution R2017-016.

Resolution R2017-017 Action on Request for Release of Performance
Guarantee by South Brunswick Enterprise, LLC for
Galleria at Twin Rivers

**RESOLUTION R2017-017
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Elena Vignola of South Brunswick Enterprise, LLC, has requested by letter dated November 15, 2016, a release of the performance guarantees being held by the Township for The Galleria at Twin Rivers; and

WHEREAS, the Township Engineer has inspected the improvements for Galleria at Twin Rivers and filed a written report with the Township Council dated December 6, 2016, which is attached hereto and made a part of this Resolution; and

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

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 Bonds No. 41316479 and 41316481 issued by Platte River Insurance Company in the combined amount of \$739,029.00 and the cash guarantee \$83,225.40, upon the posting of a two (2) year maintenance bond in the amount of \$124,838.10 and inspection escrow of \$1,500.00 for maintenance bond release, in a form acceptable to the Township Attorney.
2. Upon the posting of the maintenance guarantee and inspection escrow, the cash guarantee of \$83,225.40 is to be allocated toward the payment of the developer's Affordable Housing Fee obligation.
3. 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 Elena Vignola of South Brunswick Enterprise.

Mayor Mironov stated the Township Engineer's recommendation, dated December 16, 2016 is attached and incorporated into the Resolution and a certification has been received from the Manager and Finance Director that all fees have been

satisfied and paid. Mayor Mironov also had a few typos within the Resolution. Mayor Mironov also asked for the status of the construction permits on the project.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2017-017 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2017-017 was approved with the changes.

Resolution R2017-018 Action on Request for Release of Performance
Guarantee for Lightbridge Academy

RESOLUTION R2017-018
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Piyush Patel of Lightbridge Academy requested by letter dated November 7, 2016, a release of the performance guarantees being held by the Township for Lightbridge Academy Site Improvements ; and

WHEREAS, the Township Engineer has inspected the site work for Lightbridge Academy and filed a written report with the Township Council dated January 5, 2017, 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. 41324370 issued by Platte River Insurance Company from \$280,405.80 to \$84,121.74 and cash guarantee in the amount of \$31,156.20 to \$9,346.86.
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 Piyush Patel of Lightbridge Academy.

Mayor Mironov stated the Township Engineer’s recommendation is attached, dated January 5, 2017 and is incorporated into the Resolution.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2017-018.

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

There being six (6) ayes and no (0) nays, Resolution R2017-018 was approved

Resolution R2017-019 Approval of Interlocal Services Agreement for Animal Control Services with Robbinsville Township

**RESOLUTION R2017-019
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of Animal Control Services in the Township of Robbinsville, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township of East Windsor can provide these services through a Shared Services Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager and Chief of Police recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and Robbinsville Township for Animal Control Services for the term January 1, 2017 through December 31, 2018 is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
2. The Mayor and Council are hereby authorized and directed to execute the attached Agreement.

Mayor Mironov stated Robbinsville submitted a fully executed agreement that should be attached to the Resolution.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve Resolution R2017-019.

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

There being six (6) ayes and no (0) nays, Resolution R2017-019 was approved.

Resolution R2017-020 Approval of Interlocal Services Agreement for Animal Control Services with Plainsboro Township

**RESOLUTION R2017-020
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of Animal Control Services in the Township of Plainsboro, in the County of Middlesex, State of New Jersey; and

WHEREAS, the Township of East Windsor can provide these services through a Shared Services Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager and Chief of Police recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and Plainsboro Township for Animal Control Services for the term January 1, 2017 through December 31, 2017 is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

Mayor Mironov stated Plainsboro submitted a fully executed agreement that should be attached to the Resolution.

It was **MOVED** by Daniels, **SECONDED** by Lippman to approve Resolution R2017-020.

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

There being six (6) ayes and no (0) nays, Resolution R2017-020 was approved.

Mayor Mironov noted that the Township is still awaiting West Windsor's animal control services agreement. Mayor Mironov requested that Chief Geary reach out to them to get the status and explain the new terms and fees.

APPLICATIONS: None

REPORTS BY COUNCIL AND STAFF:

Council Member Rosenberg reported the Commission on Aging met for their reorganization meeting last Thursday and he also reported the senior trips are always a success.

Council Member Shapiro reported the Planning Board met for their reorganization meeting.

Council Member Zoller reported the Environmental Commission met for their reorganizational meeting and spoke about the Community Forestry Management Plan, training programs and Green Team support.

Mayor Mironov reported that the Clean Communities met on Thursday to sponsor the Adopt-A-Spot wrap up event with roughly 140 people in attendance with a lot of energy and enthusiasm in the room it was a wonderful event. Mayor Mironov also stated last Wednesday EWMAPSA attended a countywide event and East Windsor received an award of recognition. Also, Mayor Mironov stated that within the next 30 days staff and the Director of Public Works need to discuss where the Township plaques should be displayed within the building. Mayor Mironov also stated that Volunteer Fire Company No 2 had an installation event and Mario Batista was elected Fire Chief and Ben Thornton was elected President for the upcoming year. Mayor Mironov also attended the Shalom Heritage Center Gala last Sunday the turn-out was very large and it was a great event. Mayor Mironov was also in attendance for the 2017 Conference of Mayors event, the focus this year was on school funding.

CORRESPONDENCE:

Mayor Mironov reported that memos were provided to Council on various subjects, one from the Township Manager pertaining to the 5K run/walk, one from the director of public works on the purchase of the sump pumps, one on the purchase of the HVAC unit for Fire Company No 2. and a report was received from the Tax Collector for the period ending December 31, 2016.

APPOINTMENTS:

Resolution R2017-021 Appointing East Windsor Municipal Court Judge

**RESOLUTION R2017-021
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED, by the Township Council of the Township of East Windsor that Edward Herman is appointed Municipal Court Judge of the Township of East Windsor for a three (3) year term commencing January 1, 2017 through December 31, 2019.

Mayor Mironov stated the judge was appointed at the reorganization meeting but a resolution was done for good practice to lay out the terms in writing.

It was MOVED by Rosenberg, SECONDED by Lippman to approve Resolution R2017-021.

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

There being six (6) ayes and no (0) nays, Resolution R2017-021 was approved.

Resolution R2017-022 Appointing East Windsor Municipal Utilities Authority Member

**RESOLUTION R2017-022
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

BE IT RESOLVED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that Steven Kurs is hereby appointed as Member of the East Windsor Municipal Utilities Authority for a term expiring on January 31, 2022.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2017-022 reappointing Steven Kurs as a member of the East Windsor Municipal Utilities Authority.

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

There being six (6) ayes and no (0) nays, Resolution R2017-022 was approved to reappoint Stevn Kurs as a member of the East Windsor Municipal Utilities Authority.

East Windsor Township Emergency Management Coordinator

Mayor Mironov stated she will be holding this appointment and will not be appointing the position tonight.

2017 Local Emergency Management Planning Committee

Mayor Mironov stated she consulted with Chief Geary and provided a memo dated January 23, 2017 to all of the members with appointments for 2017, which was distributed.

Alternate Municipal Prosecutors

Mayor Mironov stated at her request, a letter from the Municipal Prosecutor was distributed suggesting Substitute Alternate Prosecutors for East Windsor Township for 2017 are Lyle Hough, William McGovern, Al Vuocolo, Craig Hubert and Tim McNichol.

It was MOVED by Lippman, SECONDED by Rosenberg to name for 2017 the Alternate Prosecutors: Lyle Hough, William McGovern, Al Vuocolo, Craig Hubert and Tim McNichol.

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

There being six (6) ayes and no (0) nays, Alternate Municipal Prosecutors: Lyle Hough, William McGovern, Al Vuocolo, Craig Hubert and Tim McNichol were named for the year 2017.

**East Windsor Municipal Alliance for the Prevention of Substance Abuse
(E.W.M.A.P.S.A)**

Mayor Mironov appointed herself, Council Member Peter Yeager, Council Member John Zoller, Detective Joseph Gorski, Bershane Grimsley, Al Grupper, Luz Horta, Leslie Koppel, Cris Ciobanu, Eugene Lambert, Kay Morales, Jessica Nitti, Tricia Bilardo, Wayne Varga, Roswell Perez, Arthur Tomie, Robert Laverty, Student Members Jack Krall, Alexis Brandon and Sree Chinta. Mayor Mironov asked that a letter be done for all the appointments.

APPROVAL OF BILLS:

Mayor Mironov specified the various bill lists and trust fund accounts presented for payment. Mayor Mironov stated the second item on Vouchers should be removed and voided. The payment was held on the 2016 Current Bill List page 2 pending clarification from the Auditor on what is included with the cost.

It was MOVED by Shapiro, SECONDED by Lippman to approve the Bill Lists with the exceptions.

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

There being six (6) ayes and no (0) nays the various presented Bill Lists were approved with the exceptions.

MATTERS BY COUNCIL:

Mayor Mironov stated the League of Municipalities is undertaking the Louis Bay Future Municipal Scholarship Competition again this year and information will be sent out to the schools. Mayor Mironov also stated two out of the three years East Windsor has had the winning student essays.

Mayor Mironov stated that she received dates from Council regarding the budget review and at this point is being targeted for February 14 and February 16 at 5:30 p.m. Mayor Mironov stated the Manager's office needs to get a schedule together for Council.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2016 Kelly Bill Reimbursements

Mayor Mironov stated a memo was received from Public Works providing the reimbursement schedules for 2016 and 2017 with a significant reduction. A sample letter was provided which will go to the associations. Council Member Zoller stated he was not provided a copy of the information that was distributed on January 13, 2017 and the Clerk provided him a copy of that.

2. New Jersey Department of Transportation FY 2017 State Aid Programs

Mayor Mironov stated there are three resolutions tonight all were discussed at a prior meeting.

- a. **Resolution R2017-023** Approval of Filing of Application with New Jersey Department of Transportation under FY2017 Local Municipal Aid Program for Brooktree Road/Wiltshire Drive Roadway Project

Mayor Mironov stated the Resolution should indicate that it is for Brooktree Road and Wiltshire Drive between Oak Creek Road and Dorchester Drive.

**RESOLUTION R2017-023
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the New Jersey Department of Transportation is soliciting grant applications under the FY2017 Municipal Aid program; and

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

1. The Mayor is hereby authorized and directed to submit an electronic application identified as MA-2017-Brooktree Road-Wiltshire Drive – 00074 on behalf of East Windsor Township, to the New Jersey Department of Transportation under the FY2017 Local Municipal Aid for Brooktree Road and Wiltshire Drive between Dorchester Drive and Oak Creek Road, and as the primary application
2. The Mayor is hereby authorized to sign the grant agreement on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2017-023 with the change.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2017-023 was approved with the change.

- b. **Resolution R2017-024** Approval of Filing of Application with New Jersey Department of Transportation under FY2017 Local Municipal Aid Program for Brooktree Road/Amy Drive/Maplestream Drive Roadway Project

Mayor Mironov stated this is a second priority project and the application and Resolution should indicate that. Mayor Mironov would also like for staff to make it clear to her that all is well understood, because what was left for her did not indicate that. Mayor Mironov changes the first number 1 on the Resolution to read “as a second priority application.”

**RESOLUTION R2017-024
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the New Jersey Department of Transportation is soliciting grant applications under the FY2017 Municipal Aid program; and

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

1. The Mayor is hereby authorized and directed to submit an electronic application identified as MA-2017-Brooktree Road-Amy Drive-Maplestream Road – 00075 on behalf of East Windsor Township, to the New Jersey Department of Transportation under the FY2017 Local Municipal Aid for Brooktree Road between Oak Creek Road and Amy Drive, the full length of Amy Drive , Maplestream Road between Route 130 and Amy Drive, and the full length of Lindenbook Way, as a second priority application.

2. The Mayor is hereby authorized to sign the grant agreement on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve Resolution R2017-024 with the addition.

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

There being six (6) ayes and no (0) nays, Resolution R2017-024 was approved with the addition.

- c. **Resolution R2017-025** Approval of Filing of Application with New Jersey Department of Transportation under FY2017 Local Bikeway Program for Union Transportation Trail

Mayor Mironov stated this Resolution is for the Bike/Pathway Project and the Township has agreed to the Union Transportation Trail. Mayor Mironov stated she has been working with Mercer County on this project. East Windsor applied, but was not approved due to Mercer County failing to list as a County priority and committing to the assisting of the funding to NJDOT. Mayor Mironov stated there was a site visit with Delaware Valley Regional Planning Commission in East Windsor. Mayor Mironov stated this is an outstanding opportunity to get funding for this very popular bikeway trail to extend the trail from Monmouth County. Mayor Mironov is suggesting to change the project for application to the Department of Transportation to a different project. Mayor Mironov provided to Council multiple options, one is the idea from last year, the Airport Road Connector Trail which would connect to the PAL fields and the high school. Another is the Etra Trail resurfacing in Etra Lake Park that has the exercise stations and adding pavement to make the location more permanent. Another is a proposed addition to the trail which goes from Turnpike Park to Woods Road Community Park, by adding another leg along the JCPL Right of Way. The last option is One Mile Road bikeway path but the Township is not encouraging this right now. Mayor Mironov stated the deadline for submission is February 3, Public Works needs to rework the sage application before this Friday. Unanimously, all of Council suggested to move forward with the resurfacing of Etra Trail. Mayor Mironov stated Resolution R2017-025 will be changed to authorize the Etra Trail Resurfacing project.

**RESOLUTION R2017-025
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the New Jersey Department of Transportation is soliciting grant applications under the FY2017 Municipal Aid program; and

WHEREAS, East Windsor Township desires to apply for the grant.

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 and directed to submit an electronic application identified as BIKE-2017-Etra Trail Resurfacing-00015 on behalf of East Windsor Township to the New Jersey Department of Transportation under the FY2017 Local Bikeway Program for the resurfacing of Etra Trail.
2. The Mayor is hereby authorized to sign the grant agreement on behalf of East Windsor Township and her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It was MOVED by Shapiro, SECONDED by Zoller to approve Resolution R2017-025 with the proposal for the Etra Trail resurfacing project.

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

There being six (6) ayes and no (0) nays, Resolution R2017-025 was approved for the Etra Trail resurfacing project.

3. Redevelopment of Former NL Site [discussed earlier in meeting.]
4. Stony Brook-Millstone Watershed Association 2017 Stream Clean-Up

Mayor Mironov stated this is being held on April 22 from 9:00 a.m. to 11:00 am for Earth Day. Everyone concurred.

5. East Windsor Senior Center Maintenance Work for Painting and Wallpaper

Mayor Mironov stated materials were left from Mr. Askenstedt pertaining to painting, the wallpaper and the installation of the wallpaper. Council Member Zoller asked about a start date and Mayor Mironov stated she is not sure and has to speak to the Director of Public Works and the Manager.

MATTERS BY PUBLIC: No one spoke.

ADJOURNMENT: There being no further business Mayor Mironov declared the meeting adjourned at 9:27 pm

Next Meeting: Tuesday February 14, 2017 at 5:30 p.m.

Kelly Lettera
Acting Municipal Clerk

Janice S. Mironov
Mayor