

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, February 20, 2018

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, February 20, 2018.

VERIFICATION:

Acting Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 4, 2018 in the annual meeting notice and on February 16, 2018, 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 Police Officer Paul Willie

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

ADMINISTER OATH OF OFFICE TO NEW POLICE SERGEANT

Mayor Mironov swore in Paul Willie as new Police Sergeant. Mayor Mironov thanked all the police officers for attending the swearing-in ceremony.

Employees of the Year Awards

- Administration (Susan Protonentis)
- Public Works (Anna Eaves)
- Law and Public Safety (Detective Philip Melhorn)

Mayor Mironov states the Employees of the Year are individuals who have excelled at serving the public and supported by their employee colleagues. Mayor Janice S. Mironov recognized 2017 East Windsor Township *Employees of the Year*: Susan Protonentis, Technical Assistant to the Construction Official; Anna Eaves, Administrative Assistant to the Department of Public Works and Police Detective Philip Melhorn.

Mayor Mironov recognized Susan Protonentis with a proclamation and stated she provides consistently dedicated service to East Windsor Township with a positive attitude and exceptional willingness to serve the public and her fellow employees.

Mayor Mironov recognized Anna Eaves with a proclamation and stated she is instrumental in ensuring the Department of Public Works operates efficiently on a day-to-day basis, is highly regarded by residents for her helpful and professional attitude, and is readily available when any need arises. Anna is an invaluable resource with extensive knowledge and problem-solving abilities this is constantly relied upon by the Department of Public Works and East Windsor Township. Mayor Mironov presented the proclamation to Ms. Eaves.

Mayor Mironov recognized Detective Philip Melhorn with a proclamation and stated he is a proven asset in all situations due to his tremendous knowledge and positive attitude. Detective Melhorn serves as a role model for younger members of the Police Department and is an outstanding employee who continuously displays professionalism and deep dedication in the Investigative Services unit.

***EAGLE SCOUT PROJECT PRESENTATION BY ZACHARY GREENBERG, BOY SCOUT TROOP 6284**

Zachary Greenberg presented his Eagle Scout project to construct and install two park benches at the Disbrow Hill Park. Mayor and Council requested Zachary to provide a colorized visual of the proposed benches with color details, a detailed diagram on how he will be assembling the parts to construct the benches, and that the proposed location in Disbrow Hill Park requires Township approval.

It was MOVED by Rosenberg, SECONDED by Yeager to approve Zachary Greenberg's Eagle Scout project to construct and install two park benches at the Disbrow Hill Park, subject to the conditions.

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

There being seven (7) ayes and no (0) nays, Zachary Greenberg's Eagle Scout project was approved subject to the conditions.

Eagle Scout: John Greaves, Boy Scout Troop 6284 (March 4, 2018)

Read Across America Day – (March 2, 2018)

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Radhika Shah, a student at Hightstown High School, was interviewed and is interested in the Health Advisory Board or Environmental Commission.

PUBLIC FORUM: None

MINUTES:

April 18, 2017

Mayor Mironov stated on page 5 in three places it should state “Disbrow Hill”.

It was MOVED by Rosenberg, SECONDED by Zoller that the April 18, 2017 minutes be approved with the changes.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the April 18, 2017 were approved with the changes.

June 27, 2017 Closed Session

It was MOVED by Yeager, SECONDED by Rosenberg that the June 27, 2017 Closed Session minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the June 27, 2017 Closed Session minutes were approved.

November 21, 2017

It was MOVED by Yeager, SECONDED by Zoller that the November 21, 2017 minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the November 21, 2017 were approved.

January 1, 2018

Mayor Mironov pointed out a comma needs to be added after the nays on page 3. Deputy Mayor Zoller requested that Council Members Shapiro’s type of oath be added in to the sentence on page 1.

It was MOVED by Zoller, SECONDED by Daniels that the January 1, 2018 minutes be approved with the changes.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the January 1, 2018 minutes were approved with the changes.

January 23, 2018

Mayor Mironov stated on the first page after the word “use” there should be a period and the next word be eliminated. Also on page 33, the second to last paragraph should read “re-appoint” and on page 35, the first full paragraph should read “added a five year term”.

It was MOVED by Lippman, SECONDED by Rosenberg that the January 23, 2018 minutes be approved with the changes.

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

There being seven (7) ayes and no (0) nays, the January 23, 2018 minutes were approved with the changes.

February 6, 2018

Mayor Mironov requested that February 6, 2018 minutes be held due to corrections that need to be made and those pages redistributed.

Mayor Mironov requested all remaining minutes listed on the agenda to be rescheduled to the next Council meeting.

May 16, 2017

June 27, 2017

September 12, 2017

October 10, 2017

November 8, 2017 Closed Session December 5, 2017

December 5, 2017 Closed Session

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2018-01 An Ordinance to Approve Contract of Sale to Purchase the Property Located at 300 Princeton Hightstown Road (Block 5, Lot 2.02)

ORDINANCE NO. 2018-01

**TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY
OWNED BY GORDON PRINCETON MAB 3 ASSOCIATION LLC, LOCATED
AT 300-C PRINCETON HIGHTSTOWN ROAD, TOWNSHIP OF EAST
WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY (BLOCK 5, LOT
2.02)**

WHEREAS, the Township Council of the Township of East Windsor has determined that it is in the best interest of the Township to acquire property offered for sale by Gordon Princeton MAB 3 Association, LLC, located at 300-C Princeton-Hightstown Road, in the Township of East Windsor, County of Mercer, State of New Jersey, also known as Block 5, Lot 2.02 in connection with and implementation of the Township proposed Housing Element and Fair Share Plan.

WHEREAS, the Township and Gordon Princeton MAB 3 Association, LLC have agreed on a purchase price of seven hundred and fifty thousand dollars (\$750,000) for the subject property; and

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

1. The Mayor and Municipal Clerk are authorized and directed to execute the attached Agreement of Sale between the Township of East Windsor, as purchaser, and Gordon Princeton MAB 3 Association, LLC, as seller, at a purchase price of seven hundred and fifty thousand dollars (\$750,000), for property located at 300-C Princeton-Hightstown Road, East Windsor, Block 5, Lot 2.02.
2. The Township Manager, Municipal Clerk, Finance Director, and Township Attorney are hereby authorized to take all necessary action to carry out the Agreement to Purchase. This authorization includes, but is not limited to, the payment of the contract purchase price, and acceptance and recording of a deed to the subject property.

II

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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 Ordinance 2018-01 was introduced at the January 23, 2018 meeting, the Public Hearing was held on February 6, 2018 and the Ordinance was carried to this evening February 20, 2018. Mayor Mironov stated the Township Attorney reviewed the contract and is working with the seller's attorney to make a few changes, which they have agreed to. The Township Attorney agreed that the Ordinance should proceed on the basis that the contract will be finalized with the Township requested modifications on the contract.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to adopt Ordinance 2018-01 and authorize publication as required by law, on the basis that the contract will be finalized with the Township requested modifications.

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

There being seven (7) ayes and no (0) nays, Ordinance 2018-01 was adopted and authorized publication as required by law, subject on the basis that the contract will be finalized with the Township requested modifications.

ORDINANCE – INTRODUCTION:

Mayor Mironov held Ordinance 2018-XXX and requested to leave it unnumbered and carried to the next agenda.

Ordinance No. 2018-XXX

An Ordinance to Approve Contract of Sale to Purchase the Property Located at 250 Windsor Center Drive (Block 87, Lot 28)

**ORDINANCE NO. 2018-XXX
TOWNSHIP OF EAST WINDSOR**

COUNTY OF MERCER

**AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY
OWNED BY AUROBINDO PHARMA USA INC, LOCATED AT 250 WINDSOR
CENTER DRIVE, TOWNSHIP OF EAST WINDSOR, COUNTY OF MERCER,
STATE OF NEW JERSEY
(BLOCK 87, LOT 28)**

WHEREAS, the Township Council of the Township of East Windsor has determined that it is in the best interests of the Township to acquire property offered for sale by Aurobindo Pharma USA Inc., located at 250 Windsor Center Drive, in the Township of East Windsor, County of Mercer, State of New Jersey, also known as Block 87, Lot 28, in connection with and implementation of the Township proposed Housing Element and Fair Share Plan.

WHEREAS, the Township and Aurobindo Pharma USA, Inc. have agreed on a purchase price of six hundred and fifty-five thousand dollars (\$655,000) for the subject property; and

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

1. The Mayor and Municipal Clerk are authorized and directed to execute the attached Agreement of Sale between the Township of East Windsor, as purchaser, and Aurobindo Pharma USA, Inc, as seller, at a purchase price of \$ six hundred and fifty-five thousand dollars (\$655,000), for property located at 250 Windsor Center Drive, East Windsor, Block 87, Lot 28.
3. The Township Manager, Municipal Clerk, Finance Director, and Township Attorney are hereby authorized to take all necessary action to carry out the Agreement to Purchase. This authorization includes, but is not limited to, the payment of the contract purchase price, and acceptance and recording of a deed to the subject property.

II

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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.

RESOLUTIONS:

Resolution R2018-039 Action on Request for Release of Performance Guarantee by Lightbridge Academy located at 149 Route 130 North

**RESOLUTION R2018-039
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 December 11, 2017, 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 9, 2018, 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; 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 release Performance Bond No. 41324370 issued by Platte River Insurance Company in the amount of \$84,121.74 and the cash guarantee of \$9,346.86, upon the posting of a two (2) year maintenance bond in the amount of

\$46,734.30 and inspection escrow of \$1,500.00 for maintenance bond release, in a form acceptable to the Township Attorney.

2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of the Township Engineer's report to Piyush Patel of Lightbridge Academy.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 20, 2018.

Mayor Mironov stated Resolution R2018-039 was carried from the February 6, 2018 Council meeting pending information from the Manager's and Finance office. The Resolution was corrected to reflect that information.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2018-039.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-039 was approved.

Resolution R2018-041 Approval of Employment Terms with Chief of Police James Geary

**RESOLUTION R2018-041
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, James A. Geary has been appointed East Windsor Township Chief of Police effective January 4, 2017; and

WHEREAS, James A. Geary previously held the rank of Lieutenant in the East Windsor Police Department and, as a member of the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191, was provided with employment benefits under the terms and conditions of the collective bargaining agreement between the Township and the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191; and

WHEREAS, by virtue of his new rank, Chief of Police James A. Geary will no longer be covered by the provisions of the collective bargaining agreement between the Township of East Windsor and the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191 and will be covered under the Township Personnel Procedures and Policies; and

WHEREAS, in accordance with Township past practices, the Chief of Police has been provided with applicable employment benefits as set forth in the current collective bargaining agreement with the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191; and

WHEREAS, the Township wishes to continue to provide such benefits during his tenure as East Windsor Township Chief of Police.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, effective January 4, 2017, that Chief of Police James A. Geary of the East Windsor Township Police Department shall be provided with employment benefits pursuant to the collective bargaining agreement between the Township and the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191, specifically the following: sick leave, sick leave buy back, terminal leave, bereavement leave, funeral expenses, medical and dental insurance coverage, holidays and holiday pay, personal days, vacation and vacation pay, education incentives, longevity, standby compensation, clothing and shoe maintenance, plain clothes allowance, false arrest insurance and travel expenses.

BE IT FURTHER RESOLVED, that any modification or changes to the benefits enumerated herein that may occur through future collective bargaining negotiations between the Township and the Superior Officer's Association of the New Jersey State Policemen's Benevolent Association, Local 191 shall be provided to Chief of Police James A. Geary.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 20, 2018.

Mayor Mironov requested that in several places in the resolution that it read "Chief of Police" prior to the name.

It was **MOVED** by Yeager, **SECONDED** by Daniels to approve Resolution R2018-041 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 R2018-041 was approved with the changes.

Resolution R2018-042 Approval of Agreement with Xavus Solutions, LLC for My Senior Center System for Township Senior Center

Mayor Mironov requested that in the first paragraph it read “need to purchase a Software System designed to help manage Senior Center participation, scheduling and notifications for the East Windsor Township Senior Center”. Also in the fifth paragraph remove the second funds available and should have a contract format paragraph and a contract for signatures. Mayor Mironov stated a memo was received from the Senior Center Director and that she had met with senior center staff to view the program and how the software could create efficiencies at the Senior Center for the staff as well as the seniors.

RESOLUTION R2018-042
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase a Software System designed to help manage Senior Center participation, scheduling and notifications for the East Windsor Township Senior Center; and

WHEREAS, Xavus Solutions, LLC, is the sole provider of the My Senior Center System software; and

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

WHEREAS, the Township Council has reviewed the Township Senior Center’s recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$8,500.00 and funds are available in the Municipal Trust Account No. T-13-56-856-803 entitled, Other Trust- Senior Memorial Donations, in the amount of \$5,500.00 and in the Municipal Trust Account No. R-14-18-370-200-000, entitled Recreation Trust-Senior Center Activities in the amount of \$3,000.00, as evidenced by the Chief Financial Officer’s Certification No. T2018-002.

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 with Xavus Solutions, LLC, 9 Green Needle Way, Acton, MA 01720, for My Senior Center System Software for the East Windsor Township Senior Center, in an amount not to exceed \$8,500.00.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 20, 2018.

It was **MOVED** by Daniels, **SECONDED** by Lippman to approve Resolution R2018-042 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 R2018-042 was approved with the changes.

APPLICATIONS:
NONE

REPORTS BY COUNCIL AND STAFF:

Council Member Yeager stated the Recreation Commission met on February 15 and discussed the Egg Hunt, spring break camp, summer camp 2018 and other concerts and events being held for Independence Day weekend.

Council Member Shapiro stated he and Council Member Daniels attended the Health Advisory Board meeting and they are working on several things including community gardens.

Mayor Mironov stated she attended the Cub Pack 53 blue and gold ceremony on Sunday February 11. She also attended on Saturday February 17 an event at St. James AME Church a celebratory tea to honor the life of Reverend Brenda Werner.

CORRESPONDENCE:

Mayor Mironov stated a report was received from the tax collector for the period ending January 31, 2018. A report was also received from Maley Givens on a matter that they are handling for the Township.

APPOINTMENTS:

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

Mayor Mironov thanked Council Member Yeager for doing a great job with the Alliance and appointed the following members for 2018: Mayor Janice S. Mironov; Council Member Peter Yeager; Council Member John Zoller; Detective Joseph Gorski; Bershane Grimsley; Al Grupper, East Windsor PAL; Luz N. Horta, Better Beginnings; Karla Gonzalez, Rise; Eugene Lambert, Next Level Youth; Stacey Estelle, Camp Fire USA; Wayne Varga, Elks Lodge 1955; Arthur Tomie, and Robert Laverty.

APPROVAL OF BILLS:

Mayor Mironov stated a 2018 Current Bill list, 2017 Current Bill list and other miscellaneous bill lists and trust accounts were provided. Deputy Mayor John Zoller questioned why on Current 2017, page 6 is the mulch charged to janitorial supplies for the municipal building grounds and reference residential street addresses and asked to pull the bill. He also stated on page 9, questioned economy stoves and gametime. Mayor Mironov stated both those bill be pulled. Mayor Mironov questioned and held the charge for \$2,000 under police motor vehicles.

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

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 with the clarifications requested.

MATTERS BY COUNCIL:

Mayor Mironov stated on March 1, the Township is kicking off the Gun Lock Safety program. Mayor Mironov also requested an update on Windsor Center lights.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. *Eagle Scout Project Presentation By Zachary Greenberg, Boy Scout Troop 6284
Zachary Greenberg presented his project at the beginning of the meeting.

2. 2018 Summer Concerts and Events

Mayor Mironov stated a memo was provided to Mayor and Council dated February 7, 2018 regarding summer concerts and events. Mayor and Council agreed that the Real Diamond was the best of the Neil Diamond Bands and would like to move forward to find out availability. They also requested that the Recreation Director get the availability for July and August for the Infernos, Cameos, and Time Machine. Council Member Rosenberg stated he will provide the Recreation Director with Rolling Stone bands. Mayor and Council also requested information on the Family Night events. Council Member Yeager stated he would like to continue with his Billy Joel request.

3. Route 130/Hankins Road/Conover Road Realignment

Mayor Mironov stated the Township is waiting for the New Jersey Department of Transportation to formally state plans and specifications approved and are ready to bid.

4. 2018 Roadway Projects Status

Mayor Mironov stated a status memo was received from the Director of Public Works for Probasco Road, but Mayor and Council are still awaiting Brooktree/Wiltshire and Maple Stream status property updates.

Mayor Mironov stated regarding the following two discussion items Mayor and Council are still awaiting information and she would like them added to the next scheduled Council meeting.

5. Police/Court Building Roof and Professional Report Updates and Status

6. Municipal Building HVAC Status and Professional Report Updates and Status

7. 2018 Municipal Budget Review

A budget meeting was held at 5:30 p.m., prior to the regularly scheduled meeting and there was no further review held at this time.

MATTERS BY PUBLIC:

No one spoke.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:55 p.m.

Next Meeting: Tuesday, March 6, 2018 at 7:30 p.m.

Kelly Lettera
Acting Municipal Clerk

Janice S. Mironov
Mayor

