

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, February 6, 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 6, 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 2, 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 Former Township Manager James P. Brady

#### **ROLL CALL:**

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

#### **PRESENTATIONS & PROCLAMATIONS:**

Township Manager James P. Brady Retirement (January 31, 2018)

Mayor Mironov and Council issued a proclamation and honored former Township Manager James Brady on his retirement and many years of dedicated service to the East Windsor Police Department and East Windsor Township.

Scouting Anniversary Week (February 4–10, 2018)

Mayor Mironov praised the positive community role and good deeds of the Scouts and presented a copy of the Proclamation and a personal check from the Mayor's Trust Account to Boy Scout Troop 59, Boy Scout Troop 5700, Boy Scout Troop 6284 and Cub Scout Pack 53.

Shalom Heritage Center 14<sup>th</sup> Annual Gala (February 11, 2018)

St. James AME Church Fruit of the Spirit Tea (February 17, 2018)

#### **INTERVIEWS FOR BOARDS AND COMMISSIONS:**

Christine Policastro was interviewed and is interested in the Commission on Aging or the Recreation Commission. Aayush Gupta was interviewed and is interested in the Economic

Development Committee and Recreation Commission. Rene Jocelyn was interviewed and is interested in the Planning Board or Economic Development Committee.

**PUBLIC FORUM:** None

**MINUTES:**

**May 2, 2017 Closed Session**

It was MOVED by Rosenberg, SECONDED by Yeager that the May 2, 2017 Closed Session minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the May 2, 2017 Closed Session minutes were approved.

**May 16, 2017 Closed Session**

It was MOVED by Lippman, SECONDED by Zoller that the May 16, 2017 Closed Session minutes be approved.

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

There being seven (7) ayes and no (0) nays, the May 16, 2017 Closed Session minutes were approved.

**June 6, 2017**

It was MOVED by Shapiro, SECONDED by Daniels that the June 6, 2017 minutes be approved.

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

There being five (5) ayes, no (0) nays and two (2) abstentions, the June 6, 2017 minutes were approved.

**July 11, 2017**

Mayor Mironov stated on page 2, the February 28 roll call vote needed to be corrected.

It was MOVED by Lippman, SECONDED by Rosenberg that the July 11, 2017 minutes be approved with correction to the roll call vote.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the July 11, 2017 minutes were approved with correction to the roll call vote.

**July 25, 2017**

It was MOVED by Shapiro, SECONDED by Zoller that the July 25, 2017 minutes be approved.

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

There being seven (7) ayes and no (0) nays, the July 25, 2017 minutes were approved.

**August 8, 2017**

Mayor Mironov stated that on page 6 for Resolution R2017-142 the vote needs to be consistent with the motion.

It was MOVED by Lippman, SECONDED by Rosenberg that the August 8, 2017 minutes be approved with the change.

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

There being five (5) ayes, no (0) nays and two (2) abstentions, the August 8, 2017 minutes were approved with the change.

**September 26, 2017**

It was MOVED by Zoller, SECONDED by Shapiro that the September 26, 2017 minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the September 26, 2017 minutes were approved.

**September 26, 2017 Closed Session**

It was MOVED by Daniels, SECONDED by Zoller that the September 26, 2017 Closed Session minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the September 26, 2017 Closed Session minutes were approved.

**November 8, 2017**

It was MOVED by Yeager, SECONDED by Rosenberg that the November 8, 2017 minutes be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstention, the November 8, 2017 were approved.

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

April 18, 2017  
May 16, 2017

June 27, 2017  
June 27, 2017 Closed Session  
September 12, 2017  
October 10, 2017  
November 8, 2017 Closed Session  
November 21, 2017  
December 5, 2017  
December 5, 2017 Closed Session  
January 1, 2018  
January 23, 2018

**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 and the Public Hearing was set for tonight. Mayor Mironov requested if anyone wanted to comment on the Ordinance and there being no comment the Public Hearing was closed. Mayor Mironov requested a motion to carry Ordinance No. 2018-01 to the February 20 Council meeting due to a few contract issues.

It was **MOVED** by Rosenberg, **SECONDED** by Lippman to carry Ordinance 2018-01 to the February 20, 2018 Council meeting.

**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 carried to the February 20, 2018 Council meeting.

**ORDINANCE – INTRODUCTION:**

**Ordinance No. 2018-XXX (02)** 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.

Mayor Mironov held Ordinance No. 2018-02 and asked to remove the number which was erroneously added from the Ordinance title.

### **RESOLUTIONS:**

**Resolution R2018-035** Authorizing 2017 Tree City USA Application for Recertification

**RESOLUTION R2018-035  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**



**WHEREAS**, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters, the USDA Forest Service, the U.S. Conference of Mayors and the National League of Cities is accepting applications for 2017 TREE CITY USA; and

**WHEREAS**, East Windsor Township desires to be recertified as a TREE CITY USA for 2017; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the Mayor is authorized to sign the attached 2017 TREE CITY USA Application for recertification.

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 6, 2018.

Mayor Mironov stated an updated Resolution was in Mayor and Council folders tonight.

It was MOVED by Zoller, SECONDED by Yeager to approve Resolution R2018-035.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-035 was approved.

**Resolution R2018-036**      Reaffirmation of East Windsor “Green Team” Advisory Committee

**RESOLUTION R2018-036  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, the Township Council of the Township of East Windsor strives to save tax dollars, assure clean land, air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially that will thrive and endure; and

**WHEREAS**, the Township Council of the Township of East Windsor wishes to establish governance which benefits our residents now and far into the future by exploring and adopting sustainable economically-sound local government and community practices; and

**WHEREAS**, by endorsing a sustainable path East Windsor Township is pledging to promote education and activities supporting sustainable local government and community practices; and

**WHEREAS**, preservation of open space and farmland, solar power, fleet purchasing and maintenance and municipal facilities and operations are all subjects of focus for the Township to do their share to lessen the environmental impact of its operations; and

**WHEREAS**, by Resolution R2011-26, adopted on February 8, 2011, the Township Council created and established a Green Team Advisory Committee, and by Resolution R2015-027, adopted on February 3, 2015, the Township council reaffirmed the creation of the Green Team Advisory Committee.

**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, in furtherance of those objectives hereby reaffirms the creation of a Green Team Advisory Committee (GTAC), to work toward Sustainable Jersey certification and to advise the Township on means to enhance municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.
2. The Goals and Objectives for the Green Team Advisory Committee are to include:
  - a. Promote recycling efforts
  - b. Preserve natural resources
  - c. Encourage water and energy conservation
  - d. Reduce environmental pollution
  - e. Identify alternative energy options
  - f. Suggested best practices for greener municipal operations
  - g. Increase public awareness regarding green initiatives through the development of educational programs and resources dedicated to green initiatives
  - h. Explore possible resources such as grants and other financial incentives for green initiatives
3. The Mayor is hereby authorized to appoint a Green Team Advisory Committee (GTAC) consisting of up to twenty (20) members who shall be residents, Township business people or employees of East Windsor Township.

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 6, 2018.

Mayor Mironov requested paragraph 5 to be amended to include prior Resolution R2015-027 language reaffirming the creation of the Green Team Advisory Committee.

It was **MOVED** by Yeager, **SECONDED** by Lippman to approve Resolution R2018-036 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 R2018-036 was approved with the changes.

**Resolution R2018-037**            Approval of Professional Services Agreement for Township  
Bond Counsel with McManimon, Scotland & Baumann

**RESOLUTION R2018-037**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, there exists a need for specialized legal services in connection with the authorization and issuance of bonds and notes of the Township of East Windsor, in the County of Mercer, State of New Jersey, including the review of such procedures as the rendering of legal opinions acceptable to the financial community, for the term of January 1, 2018 through December 31, 2018; and

**WHEREAS**, on October 9, 2017 the Township solicited proposals and received three (3) proposals for Township Bond Counsel Services by the receipt date of November 13, 2017; and

**WHEREAS**, the proposal received from McManimon, Scotland and Baumann was most 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**, the Township Council has reviewed the Township Executive Assistant to Manager’s recommendation, based upon review by and consultation with the Township Manager and the Director of Finance.

**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 Bond Counsel Services with McManimon, Scotland and Baumann, 75 Livingston Avenue, Roseland, New Jersey, 07068, for a term of January 1, 2018 to December 31, 2018.
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.

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 6, 2018.

Mayor Mironov requested a few formatting changes to paragraph six and the now therefore section in the resolution.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2018-037 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 R2018-037 was approved with the changes.

**Resolution R2018-038** Approval of Professional Services Agreement for Township Special Tax Counsel with Harry Haushalter, Esq.

**RESOLUTION R2018-038  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for Legal Services for Special Tax Counsel, for the term of January 1, 2018 through December 31, 2018, in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

**WHEREAS**, the Township solicited proposals on October 9, 2017, and received two (2) proposals for Special Tax Counsel by the receipt date of November 13, 2017; and

**WHEREAS**, the most responsive proposal was received from Harry Haushalter, Esq.; 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**, the Township Council has reviewed the Township Executive Assistant to Manager’s recommendation, based on review by and consultation with the Township Manager and Tax Assessor; and

**WHEREAS**, the maximum amount of the contract is \$20,000.00 and funds are available in the Current Fund Account No. 8-01-20-155-105-249 entitled “Legal Services-Licensed Professional”, pending adoption of the 2018 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2018-009.

**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 Special Tax Counsel with Harry Haushalter, Esq., Lexington Square Commons, 2119 Route 33, Suite A, Hamilton Square, New Jersey, 08690, for a term of January 1, 2018 through December 31, 2018.
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.

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 6, 2018.

Mayor Mironov requested a few formatting changes to paragraph six and the now therefore section in the resolution.

It was **MOVED** by Lippman, **SECONDED** by Daniels to approve Resolution R2018-038 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 R2018-038 was approved with the changes.

**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 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 6, 2018.

Mayor Mironov requested to hold Resolution R2018-039, due to the need for more information from the Manager's Office and Finance pertaining to fees and charges. The Resolution also needs to reflect that information once provided.

**Resolution R2018-040**      Approval of Amendment to Agreement with Econsult Solutions, Inc. for Services Related to Declaratory Judgment Proceedings.

**RESOLUTION R2018-040**  
**EAST WINDSOR TOWNSHIP**  
**MERCER COUNTY**

**WHEREAS**, directed by order of the Honorable Judge Mary Jacobson, AJSC dated October 15, 2016 In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), to identify the lead attorneys that will litigate the appropriate methodology by which their affordable housing obligations will be determined in accordance with Mount Laurel IV, the Fair New Jersey Fair Housing Act, NJSA 52:27D-301 et. seq; and

**WHEREAS**, for purposes of coordination, efficiency and to conserve taxpayer dollars, the Mercer County Member Group (MCMG), consisting of the Township of East Windsor, Township of Hamilton, Township of Hopewell, Township of Lawrence, Municipality of Princeton, Township of Robbinsville and Township of West Windsor agreed to jointly designate trial counsel and thereby utilize shared consultants for report preparation and testimony as needed for the Declaratory Judgement Actions in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"); and

**WHEREAS**, on February 9, 2016, by Resolution R2016-039, the East Windsor Township Council, approved a professional services agreement with Econsult, Inc., 1435 Walnut Street, Suite 300, Philadelphia, PA for Consulting Services in Declaratory Action for Affordable Housing in the amount of \$25,000.00; and

**WHEREAS**, on July 25, 2017, by Resolution R2017-132, the East Windsor Township Council, approved an Amendment to the Agreement with Econsult Solutions, Inc for an additional compensation in the amount of \$11,701.12 for services related to declaratory judgment proceedings; and

**WHEREAS**, on November 8, 2017, by Resolution R2017-191, the East Windsor Township Council, rescinded Resolution R2017-132 and approved an

Amendment to the Agreement with Econsult Solutions, Inc. for an additional compensation in the amount of \$16,070.63, which agreement was never completed or signed; and

**WHEREAS**, the Township needs to rescind Resolution R2017-191 and amend the agreement for Consulting Services with Econsult, Inc; and

**WHEREAS**, the original amount of compensation authorized under this Agreement Amendment for professional services with Econsult, Inc. for Consulting Services is \$25,000, and an amendment for up to a maximum additional \$29,000.00 is needed for a total contract amount not to exceed \$54,000.00 and sufficient funds are available in 2018 Municipal Trust Budget Account No. A-22-56-852-852 entitled "Affordable Housing", as evidenced by the Chief Financial Officer's Certification No. T2018-001.

**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 Amendment to Agreement for Consulting Services with Econsult, Inc, for up to a maximum \$29,000.00 needed for a total contract amount not to exceed \$54,000.00.
2. This Resolution rescinds and replaces Resolution R2017-132 and Resolution R2017-191.
3. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a)(ii) of the Local Public Contracts Law because the contract service is of a specialized and qualitative nature and as such has been determined to be an extraordinary unspecifiable service.
4. 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.

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 6, 2018.



Mayor Mironov requested a few minor changes be made to paragraph 5, 6 and 7 in the Resolution and the Resolution and Agreement need to be sent first thing in the morning to Econsult. Mayor Mironov stated this amount is the total amount that the Mayor and Manager agreed to pay them with a reduction of roughly 8% of the total amount of the bills to East Windsor, due to others overseeing the work.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2018-040 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 R2018-040 was approved with the changes.

#### **APPLICATIONS:**

#### **REPORTS BY COUNCIL AND STAFF:**

Council Member Rosenberg stated the Adopt a Spot Wrap up event was great with several groups in attendance. He further stated that the Commission on Aging met and spoke about a senior yearbook they are looking to put out to the town.

Mayor Mironov stated the Clean Communities Committee had their Wrap-up event at the Senior Center on January 25, 2018 with all the prior groups who participated in the Adopt a Spot event for 2017. She further stated the event is a fun filled night with prizes, games, food and the local businesses donate gifts through a raffle. She further stated the Economic Development Committee met on and discussed new gateway signs for the town, the Township owned property at Route 130 and 33 and making that a gateway visual, and partnering with one of the chambers for an event in the spring and in the fall with dates to follow in near future. Mayor Mironov stated that all of Mayor and Council attended the Volunteer Fire Company #2 Installation Dinner on January 27 and it was an excellent event.

#### **CORRESPONDENCE:**

Mayor Mironov relayed that RISE sent a very nice letter thanking the Township for everything that they do for them. Also, the Environmental Commission submitted information at the request of Council Member Zoller, on the Emerald Ash trees. Mayor Mironov requested that the Director of Public Works and the Manager look at the information and see how the town can best benefit.

#### **APPOINTMENTS:**

#### **Alternate Municipal Prosecutors**

A letter was submitted by Jeffery Rubin with four names for proposed Alternate Municipal Prosecutors.

It was MOVED by Yeager, SECONDED by Rosenberg to approve the four Alternate Prosecutors.

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

There being seven (7) ayes and no (0) nays, the four Alternate Prosecutors were approved.

### **2018 Local Emergency Management Planning Committee**

Mayor Mironov stated appointments have been made pursuant to the Township Ordinance. A memo was provided to Mayor and Council with these appointments and they will go out after the meeting.

### **East Windsor Township Emergency Management Coordinator**

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

The two remaining appointment items were held by the Mayor.

### **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. Mayor Mironov stated the account labeled trust will not be held but she would like further clarification on what this account is and page 2 bill held for clarification on the date of the services for the professionals on 2017 Current Bill list.

It was MOVED by Zoller, SECONDED by Rosenberg 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 the Director of Public Works and Township Manager decided to pay two major bills in December for the Police Court building roof and the HVAC for the Municipal Building. Mayor Mironov has not seen a professional report from consultants for either of the

projects and their status, what has been done as far as inspections and reviews, and when they will anticipate being completed.

Mayor Mironov also requested an update and status for the next meeting of the 2018 Roadway Projects that were identified last year with hopes to go out to bid in February.

**DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:**

1. Gun Lock Safety Program – March

A memo was provided to Mayor and Council from the Chief of Police for the annual Gun Lock Safety Program. The gun locks are provided to the Township by the Project Child Safe and the Township has made available to resident. Mayor and Council agreed unanimously to move forward with the program.

2. Route 130/Hankins Road/Conover Road Realignment

Mayor Mironov requested at the prior Council meeting that an action item and timeline be done on the project in order to move the project forward. She stated the Director of Public Works provided information although Mayor and Council still needs more information on the status of the bid specifications and the Department of Transportation sign off or nothing can be done. The item needs to be revisited at the February 20 Council meeting agenda.

3. 2018 Municipal Budget Review Schedule

Mayor Mironov asked and Council agreed scheduling budget hearings on Tuesday, February 13 and Tuesday, February 20 at 5:30 p.m. would work, and Monday, February 26 at 5:30 p.m., if a further date is needed

**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, February 20, 2018 at 7:30 p.m.

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Kelly Lettera  
Acting Municipal Clerk

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Janice S. Mironov  
Mayor

