

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, March 5, 2019

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, March 5, 2019.

#### **VERIFICATION:**

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2019 in the annual meeting notice and on March 1, 2019, 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 Senator Linda Greenstein

#### **ROLL CALL:**

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

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

Black History Month – February 2019

Mayor Janice S. Mironov proclaimed February as Black History Month, and recognized the Reverend Bernard T. Fowler of Mt. Olivet Baptist Church in East Windsor for his many contributions and dedication to the community.

Women's History Month -- March 2018

Mayor Janice S. Mironov, joined by East Windsor Council Member Denise Daniels, Senator Linda Greenstein, Assemblywoman Verlina Reynolds-Jackson, Mercer County Freeholder Ann Cannon, and West Windsor Council President Alison Miller, issued a Proclamation recognizing Women's History Month.

Girl Scout Week – (March 10 – 16, 2019)

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

**PUBLIC FORUM:** No one spoke.

**MINUTES:**

November 20, 2018  
December 4, 2018

Mayor Mironov held the minutes of November 20, 2018 and December 4, 2018 till the next regularly scheduled meeting due to several revisions.

May 8, 2018  
October 9, 2018  
October 23, 2018  
November 7, 2018  
January 15, 2019  
January 29, 2019  
February 12, 2019  
February 26, 2019

All remaining minutes are rescheduled to the next regularly scheduled meeting.

**ORDINANCE – PUBLIC HEARING:**

**ORDINANCE – INTRODUCTION:**

**RESOLUTIONS:**

**Resolution R2019-039**      Approval of Agreement for E-Waste Materials Disposal with  
MRM for Department of Public Works

**RESOLUTION R2019-039  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, New Jersey Department of Environmental Protection (NJDEP) requires that electronic devices are recycled in a manner that is in compliance with all applicable federal, state and local laws, regulations and ordinances; and

**WHEREAS**, Goodwill, the Township's current vendor for Electronic Recycling of E-Waste materials is discontinuing services on February 18, 2019; and

**WHEREAS**, there is a need to secure a new vendor for a turn-key E-Waste Recycling Program (computers, televisions, fax machines, printers, etc.) in the East Windsor Township Garbage District; and

**WHEREAS**, four (4) quotes were obtained for this service; and

**WHEREAS**, the most beneficial quote was submitted by MRM, providing two (2) options for participation in the E-Waste Program; and

**WHEREAS**, Option 1, East Windsor Township would have to deliver the E-Waste materials to Vintage Tech, 900 Wheeler Way, Langhorne, Pennsylvania and remit a credit to the Township of \$.200 per pound for complete computers and \$.070 per pound for other remaining coverage materials; and

**WHEREAS**, Option 2, Vintage Tech will pick-up the E-Waste materials at 309 Wood Street, East Windsor and remit a credit to the Township of \$.100 per pound for complete computers and \$.040 per pound for other remaining coverage materials; and

**WHEREAS**, the Township Council has reviewed the recommendations made by the Director of Public Works; and

**WHEREAS**, Option 2 is the best option for the recycling of E-Waste materials in the Township.

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

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement with MRM, 5775 Wayzata Boulevard, Suite 700, Minneapolis, MN 55416, for the pick-up of E-Waste materials for East Windsor Township.

I hereby certify the foregoing to a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on March 5, 2019.

Mayor Mironov stated a recommendation memo was provided by the Public Works Director. She also stated she will vote on the Resolution on the conditions of receiving a formal proposal, agreement and term being provided from MGM.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2019-039 with the conditions of a formal proposal, agreement and term from MGM.

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

There being six (6) ayes, and no (0) nays, Resolution R2019-039 was approved with the conditions of a formal proposal, agreement and term from MGM.

**Resolution R2019-040** Authorizing Purchase for Road Line Striping on Millstone Road from Zone Striping, Inc. for Department of Public Works

Mayor Mironov stated Resolution R2019-040 will be held till the next regularly scheduled meeting due to further clarification that is needed from the Department of Public Works on the stripping. Mayor Mironov stated she appreciates the follow-up but they are looking for more information as to if there was previous stripping and if the white and the yellow are both required.

**Resolution R2019-041** Approval of Award of Bid for Two Road Resurfacing and Improvement Projects for Project #1, Old Cranbury Road, Portion of Rocky Brook Road, Holland Lane and Project #2, Portion of Oak Creek Road, Heathwood Drive to Top Line Construction, Inc.

**RESOLUTION R2019-041  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there is a need for Two Road Resurfacing and Improvement Projects (1) the Resurfacing and Improvements to Old Cranbury Road, Rocky Brook Road and Holland Lane, and (2) Resurfacing and Improvements to Oak Creek Road and Heathwood Drive; and

**WHEREAS**, a Notice to Bidders was issued and posted/advertised on January 19, 2019 and six (6) bids for the Two Road Resurfacing and Improvement Projects were received by the East Windsor Township Municipal Clerk's Office on February 21, 2019 and

**WHEREAS**, as stated in the bid specifications, the bidders had the option to bid on one of the projects or both projects; and

**WHEREAS**, the Township Council has reviewed the recommendations made by the Project Engineer on these bids; and

**WHEREAS**, the lowest responsible bid was submitted by Top Line Construction Corporation; and

**WHEREAS**, the maximum amount of the purchase is \$774,436.93 and sufficient funds are available in Capital Ordinance 2019-01 entitled "NJDOT-Oak Creek Road" in the amount of \$367,745.19; Capital Ordinance 2019-01 entitled "NJDOT-Old Cranbury Road" in the amount of \$391,000.00; and Capital Ordinance 2017-15 entitled "Annual Road program" in the amount of \$15,691.74 for an amount not to exceed \$774,436.93, as evidenced by the Chief Finance Officer's Certification No. C2019-004.

**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 bid for Project (1), Old Cranbury Road, Portion of Rocky Brook Road, Holland Lane to Top Line Construction Corporation, 22 Fifth Street, Somerville, NJ 08876, in an amount not to exceed \$406,691.74.
2. The bid for Project (2), Portion of Oak Creek Road and Heathwood Drive to Top Line Construction Corporation, 22 Fifth Street, Somerville, NJ 08876, in an amount not to exceed \$367,745.19.
3. The combined bid for the Two Road Resurfacing and Improvement Projects for Project (1), Old Cranbury Road, Portion of Rocky Brook Road, Holland Lane and Project (2), Portion of Oak Creek Road, Heathwood Drive to Top Line Construction Corporation, 22 Fifth Street, Somerville, NJ 08876, in a total amount not to exceed \$774,436.93.
4. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
5. The Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder and the next lowest bidder, upon the receipt of a fully executed contract.
6. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: Richard T. Barrett paving Company, 400 Prospect Street, Trenton, NJ 08618; Meco Inc., PO Box 536, Clarksburg, NJ 08510; Gres Paving, 2475 East State Street, Trenton, NJ 08619; Black Rock Enterprises LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 and Earle Companies, PO Drawer 556, Farmingdale, NJ 07727.

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 March 5, 2019.

Mayor Mironov stated a recommendation was received from ACT Engineers on this state grant funded project. She further stated ACT Engineers handles the state grant projects so the Township does not over expend. Mayor Mironov requested to remove the Director of Public Works recommendation in the fourth paragraph of the Resolution, since ACT was recommending and handling the project. Mayor Mironov stated the majority of the bid amount will cover the majority of the grant amount received.

It was MOVED by Daniels, SECONDED by Lippman to approve Resolution R2019-041 with the changes.

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

Nays – None

There being six (6) ayes, and no (0) nays, Resolution R2019-041 was approved with the changes.

**Resolution R2019-042** Approval of Professional Services Agreement for Affordable Housing Administrative Agent with Community Grants, Planning & Housing (CGPH)

**RESOLUTION R2019-042  
EAST WINDSOR TOWNSHIP  
MERCER COUNTY**

**WHEREAS**, there exists a need for Affordable Housing Administrative Agent Services in the Township of East Windsor, in the County of Mercer, State of New Jersey; and

**WHEREAS**, the Township posted/solicited proposals on January 31, 2019 and received one (1) proposal for Affordable Housing Administrative Agent by the deadline of February 21, 2019; and

**WHEREAS**, the proposal received from Community Grants, Planning and Housing (CGP&H) 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 maximum amount of the contract is \$11,250 and funds are available in the Affordable Housing Fund Account No. A-22-56-852-852 entitled “Affordable Housing Trust,” as evidenced by the Chief Financial Officer’s Certification No. T2019-002.

**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 Community Grants, Planning and Housing, for a term commencing November 1, 2018 to October 31, 2019.
3. 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.

2. 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 March 5, 2019.

Mayor Mironov stated a recommendation memo was provided by the Manager's Office. She further questioned the amount that was expended last year and if there was an increase in fees. Mayor Mironov stated that Council will vote on the Resolution with the condition of receiving information from the Manager's Office on the amount that was expended last year and if there was an increase of fees.

It was **MOVED** by Yeager, **SECONDED** by Zoller to approve Resolution R2019-042 with the condition that Manager's Office provides fee information from the previous year.

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

There being six (6) ayes, and no (0) nays, Resolution R2019-042 was approved with the condition that Manager's Office provides fee information from the previous year.

**APPLICATIONS:** None

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

Council Member Rosenberg stated the Clean Communities Committee met on February 28 and discussed the Saturday, February 27 Recycling Day event, the Recycling Day Poster Contest, the March 16 Mercer County Green Fest at Rider University, and school Recycling Programs. Council Member Rosenberg also stated the Commission on Aging met on February 28 and discussed the senior center program directory website posting in order to save money. Council Member Daniels stated also at the February 28 Commission on Aging meeting, Sydelle Norris was elected as chairperson and they also recognized Ondina Jeffers for her 20 plus years of service as chairperson.

#### **CORRESPONDENCE:**

Mayor Mironov stated an annual statement of receipts was received from the Tax Collector, two December 10, 2018 letters were received from Mercer County on the Mercer County Wastewater Management Plan update, which was provided to staff, and she is looking to find out who has the information as well as a plan on who and how this is going to be handled.

**APPOINTMENTS:**

In accordance with Council Member Rosenberg's recommendation, Mayor Mironov appointed Amy Lerner as an Auxiliary Member of the Commission on Aging. She also appointed Dane Wolfe as a student member of the Clean Communities Committee.

**APPROVAL OF BILLS:**

Mayor Mironov stated a 2019 Current Bill list, 2018 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided.

Council Member Zoller questioned if Paris Automotive was providing the Township with a discount. The Township Manager confirmed they have provided the Township with a discount.

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

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

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

**MATTERS BY COUNCIL:**

Mayor Mironov stated she would like follow-up and an update on the Route 130/Hankins/Conover Road project from the preconstruction meeting that was held with the New Jersey Department of Transportation. She also stated she did hear that there was an issue with permits on the project and would like follow-up information on that. Mayor Mironov further requested information where the shared service financial agreement is with Robbinsville. Township Attorney David Orron stated they are working to finish up the draft agreement and will provide to Mayor and Council by the end of the week. Mayor Mironov also requested that any emails addressed to the Mayor or referencing the Mayor, that are received through the website compliant system, be sent directly to her in the future.

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

Mayor Mironov started with discussion item two then continued with the budget and open space items after.

**1. 2019 Summer Concerts and Events**

Mayor Mironov stated an updated memo, dated February 28, from the Recreation Director was provided to Mayor and Council. Council Member Yeager stated he looked at both the Billy Joel tribute bands and he recommended Danny V's. Council Member Rosenberg stated he looked



into the Beach Boys tribute as well as the Mahoney Brothers and both were good bands, but he liked Danny V's best. Mayor Mironov requested to hold the date for Danny V's, but continue to look into other bands, dates and options.

## 2. 2019 Municipal Budget Review

Mayor and Council went through the General Government portion of the Municipal Budget. Mayor Mironov stated adjustments need to be made to salaries for the Manager, Clerk, Tax Assessor, Prosecutor, Public Defender, and Director of Public Works. She further questioned where the Ruderman bills are listed for litigation. The Finance Director stated she will look into and see where the bills were allocated. Council Member Zoller questioned the codification on the Clerk's Account. The Municipal Clerk stated that they are billed annually for codification and the bill is typically sent during the first part of the year. Mayor Mironov stated Planning Board account number 249 will stay at \$12,000 since the master plan is being re-examined this coming year. Mayor Mironov state the health insurance lowered due to a large group of people retiring. Mayor Mironov went through other various budget accounts noting that nothing has significantly changed from previous years. Mayor Mironov stated the cost from the Green Acres loan has gone down significantly due to paying off one of the loans.

Mayor Mironov stated a memo, dated February 25, was received from the Police Chief regarding questions from a previous budget meeting. He provided a full run of current police staff and positions, the DARE information. A memo from the Manager's Office, dated February 25, was received on the updated actuals from the Finance Director. She continued by stating that the East Windsor Volunteer Fire Company #2 had a total increase in their budget of \$13,790 in various accounts. She stated the fire company has been very responsive with providing all information. She further stated that staff is looking into East Windsor Volunteer Fire Company #1 based on the information they provided based. Mayor Mironov suggested that the \$10,000 in account 247 be transferred to account 311 to cover the insurance amount requested. She also stated the account increased to \$19,000 which will fully pay for all of the building equipment and insurance at the building. She also stated that account 218 will be increased to \$7,000. Mayor Mironov stated EWFC #1 has not provided any of their internal budget information and this is required prior to any other increases that can be made. Mayor Mironov requested that East Windsor Volunteer Rescue #1 and #2 be further looked at due to discrepancies in budget amounts. She also stated that the weekend coverage needs to be removed since there is now two companies handling emergency services and that would save the Township \$20,400. Council Member Yeager questioned if there are four separate insurance companies for the agencies. Mayor Mironov stated Volunteer Fire Company #2 and Rescue #2 are under the Township's JIF insurance plan, but Volunteer Fire Company #1 and Rescue #1 are not. She stated there would be a savings if we leased the other two properties for \$1 and the companies could share the savings with the Township. The Township Manager stated if the Township gets an appraisal of the properties, they can determine the amount they would save if all the companies were on the Township's JIF plan.

Mayor Mironov continued on with the budget accounts stating that promotional materials should not ever be increased, so she is not increasing the fire prevention budget. She also was not willing to increase the municipal building electricity budget due to the purchase of the new system which was supposed to reduce costs not increase them. Mayor Mironov also stated she will not be increasing the police building electricity budget amount either due to the solar system which was supposed to reduce the electrical cost. She was also looking for answers as to why there is an increase in the cost of electricity on the two buildings, since we have new systems in place. Mayor Mironov stated the Clean Communities voted to allocate \$45,000 from the Clean Communities grant towards the budget, of which the Mayor will recommend where to insert the monies within the budget. Mayor Mironov requested an updated summary run from the Finance Director by the end of the week.

### 3. Open Space Acquisition Proposed Projects

Mayor Mironov stated in Council folders were two additional materials. The first item, dated March 1, is a memo from the Community Development Director regarding the process of the open space projects. The second item was a letter, dated March 4, from the Green Acres program requesting that the Township provide the Recreation and Open Space Inventory (ROSI). Mayor Mironov stated that information will be provided to Green Acres this week. She also stated Green Acres is giving the Township till December 31 to spend the \$1,000,000 in Green Acres grant monies. Mayor requested that the ROSI be updated and provided to Mayor and Council. The February 28 memo is in order of desirability and the Mayor requested further information on the first two properties listed. The Township Manager stated that the Assistant Manager reached out to the owner of the property located at 641 Mercer Street and he is very interested in the selling. Mayor Mironov requested the terms and conditions to close on the property, a map, details for the subdivision and information to Mayor and Council as soon as possible. Mayor Mironov also requested information on 805 Old York Road, as well as all interested sellers from the memo with a report outlining who is interested, who was called, property address, name and any other property details by the next business day. Mayor Mironov stated property number 4 she was highly interested in and knows the property owner quite well, but further found out the property is all wetlands and now has no further interest. Mayor Mironov stated the properties of interest need to be of value to the Township to utilize the money and an interested seller is needed. Mayor Mironov stated the grant is a 50% match which can be provided through any non-green acres money and the Township would be able to get a very significant part of the match from Mercer County, the East Windsor Green Space or donated Township lands. Mayor Mironov requested staff work on viable properties every day until it is completed.

**MATTERS BY PUBLIC:**

**ADJOURNMENT:**

There being no further business Mayor Mironov declared the meeting adjourned at 9:45 p.m.

Next Meeting: Tuesday, March 19, 2019 @ 7:30 p.m.

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Kelly Lettera  
Municipal Clerk

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Janice S. Mironov  
Mayor

