

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, March 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, March 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 March 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 Township Manager Richard Brand.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Women's History Month -- March 2018

Mayor Mironov stated due to inclement weather, the Women's History Month event will be rescheduled to a later date.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Ashwini Penta, a high school student, was interviewed and is interested in the Economic Development Committee. Mayor Mironov appointed Ashwini as a student member of the Economic Development Committee.

PUBLIC FORUM: No one spoke.

MINUTES:

June 27, 2017

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve the June 27, 2017 minutes.

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

Nays – None
Abstain -- Zoller

There being four (4) ayes, no (0) nays and one (1) abstention, the June 27, 2017 minutes were approved.

December 5, 2017

It was MOVED by Shapiro, SECONDED by Rosenberg to approve the December 5, 2017 minutes.

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

There being five (5) ayes and no (0) nays, the December 5, 2017 minutes were approved.

Mayor Mironov held the September 12, 2017, October 10, 2017 and February 6, 2018 minutes and all remaining minutes to be rescheduled.

May 16, 2017
September 12, 2017
October 10, 2017
November 8, 2017 Closed Session
December 5, 2017 Closed Session
February 20, 2018

ORDINANCE – PUBLIC HEARING:

ORDINANCE – INTRODUCTION:

Ordinance No. 2018-02 An Ordinance of the Township of East Windsor, New Jersey, to Establish Salaries and Wages for the Teamsters Local 469 Union for Fiscal Years 2016, 2017, 2018 and 2019

ORDINANCE 2018 - 02
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER

AN ORDINANCE OF THE TOWNSHIP OF
EAST WINDSOR, NEW JERSEY, TO
ESTABLISH SALARIES AND WAGES FOR
THE TEAMSTERS LOCAL 469 UNION
FOR FISCAL 2016, FISCAL 2017, FISCAL 2018 AND FISCAL 2019

BE IT ORDAINED AND ENACTED by the Township Council of the Township of East Windsor, County of Mercer, State of New Jersey, that employees of the Township in the Teamsters Local 469 Union shall be paid the following salaries and wages during years 2016, 2017, 2018 and 2019 as itemized in Section 1. Schedule of Salaries and until a successor Ordinance is adopted.

**SECTION 1. SCHEDULE OF SALARIES
YEAR 2016**

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$37,184	\$46,594
5	\$40,912	\$51,258
6	\$44,997	\$58,069
7	\$49,503	\$63,879
8	\$54,449	\$70,267

YEAR 2017

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$37,834	\$47,409
5	\$41,628	\$52,155
6	\$45,784	\$59,085
7	\$50,369	\$64,997
8	\$55,402	\$71,497

YEAR 2018

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$38,591	\$48,357
5	\$42,460	\$53,198

6	\$46,700	\$60,267
7	\$51,376	\$66,297
8	\$56,510	\$72,927

YEAR 2019

<u>Grade</u>	40 – Hour Week	
	<u>Minimum</u>	<u>Maximum</u>
4	\$39,363	\$49,324
5	\$43,309	\$54,262
6	\$47,634	\$61,472
7	\$52,404	\$67,623
8	\$57,640	\$74,386

The above salaries reflect 469 members received one and one-half (1.5%) percent increase in salary for the calendar year 2016, a one and three-quarters (1.75%) percent increase for calendar year 2017, a two (2.0%) percent increase for calendar year 2018 and a two (2.0%) percent increase in calendar year 2019.

SECTION 2. CLASSIFICATION OF POSITIONS

Grade 4	Custodian/Municipal Building; Custodian/Police Headquarters
Grade 5	Heavy Laborer; General Maintenance Worker
Grade 6	Laborer/Driver; Mechanic
Grade 7	Senior Mechanic; Equipment Operator 1
Grade 8	Equipment Operator 2

SECTION 3. LONGEVITY

Longevity pay will apply to all employees after completion of five (5) consecutive years from date of first employment or prior public service. Longevity pay will be paid as a lump sum in the first pay in November of each

year on a pro-rated basis from the anniversary date to the date of payment according to the following schedule:

<u>Service Time Completed</u>	<u>Longevity Pay</u>			
	<u>Year 2016</u>	<u>Year 2017</u>	<u>Year 2018</u>	<u>Year 2019</u>
5 – 9 Years	\$ 778	\$ 778	\$ 778	\$ 778
9 Years + 1 month to 14 Years	\$1,407	\$1,407	\$1,407	\$1,407
14 Years + 1 month to 19 Years	\$2,038	\$2,038	\$2,038	\$2,038
19 Years + 1 month and over	\$2,548	\$2,548	\$2,548	\$2,548

Employees hired on or after September 1, 2014 shall not be eligible for longevity benefit payments.

SECTION 4. GENERAL

Employees shall be compensated according to the 40 – hour work week.

SECTION 5.

All Ordinances and Resolutions inconsistent with this Ordinance are hereby repealed.

SECTION 6.

Except as otherwise provided, rates of compensation provided herein are in effect retroactive to January 1, 2016.

SECTION 7.

This Ordinance shall become effective twenty (20) days after final passage and publication according to law and shall remain in effect until amended or suspended.

Mayor Mironov stated the Manager provided Mayor and Council with a memo on the agreement and the Ordinance will be approved upon the condition of the Collective Bargaining Agreement Resolution R2018-043 approval.

It was MOVED by Zoller, SECONDED by Lippman to approve Ordinance 2018-02 on introduction, authorize publication as required by law and set the public hearing for the next regularly scheduled meeting with the condition that Resolution R2018-043 is approved.

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

There being five (5) ayes and no (0) nays, Ordinance 2018-02 was approved on introduction, authorized for publication as required by law and public hearing set for the next regularly scheduled meeting with the condition that Resolution R2018-043 is approved.

RESOLUTIONS:

Resolution R2018-043 Approval of Collective Bargaining Agreement with Teamsters Local Union No. 469 for Fiscal Years 2016, 2017, 2018 and 2019

**RESOLUTION R2018-043
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, as a result of negotiations, the Teamsters Local 469 Union and the Township of East Windsor have reached agreement on the terms and conditions of employment; and

WHEREAS, the Township Council has reviewed the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED that 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 Collective Bargaining Agreement between the Teamsters Local 469 Union effective January 1, 2016 expiring December 31, 2019.
2. A copy of the said agreement will be 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 6, 2018.

Mayor Mironov stated the salary increases are consistent with the salary increases that were provided in Ordinance 2018-02.

It was MOVED by Shapiro, SECONDED by Rosenberg to approve Resolution R2018-043.

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

Nays – None

There being five (5) ayes and no (0) nays, Resolution R2018-043 was approved.

Resolution R2018-044 Approval of Agreement with Windsor Regency Condominium Association for Reimbursement for Private Community Services for 2017

**RESOLUTION R2018-044
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Windsor Regency Condominium Association wish to enter into an Agreement for private community services for the year 2017 in the amount of \$2,419.11, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 8-01-26-325-802-253 entitled “Condo Services”, in the amount of \$2,419.11, pending the adoption of the 2018 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2018-010.

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

1. The attached Agreement for the year 2017 in the amount of \$2,419.11 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

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 6, 2018

Mayor Mironov stated the reimbursements for Private Community Services were reviewed at the first regular meeting in January and are included in the budget.

It was **MOVED** by Zoller, **SECONDED** by Daniels to approve Resolution R2018-044.

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

There being five (5) ayes and no (0) nays, Resolution R2018-044 was approved.

Resolution R2018-045 Approval of Agreement with Westfield Road Condominium Association for Reimbursement for Private Community Services for 2017

**RESOLUTION R2018-045
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township Council of the Township of East Windsor and the Westfield Road Condominium Association wish to enter into an Agreement for private community services for the year 2017 in the amount of \$1,069.23, pursuant to N.J.S.A. 40:67-23.2 et seq.; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Current Fund Account No. 8-01-26-325-802-253 entitled "Condo Services", in the amount of \$1,069.23, pending the adoption of the 2018 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2018-011.

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

1. The attached Agreement for the year 2017 in the amount of \$1,069.23 is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement.

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 6, 2018.

Mayor Mironov noted that the agreement was reviewed in January and signed by the Homeowners Association.

It was MOVED by Shapiro, SECONDED by Zoller to approve Resolution R2018-045.

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

There being five (5) ayes and no (0) nays, Resolution R2018-045 was approved.

Resolution R2018-046 Action on Award of Contract for Township Independence Day Fireworks

RESOLUTION R2018-046
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a desire to award a contract for the Independence Day fireworks display scheduled on Saturday, July 7, 2018 with a rain date scheduled for Saturday, July 14, 2018, to be held at Etra Lake Park in the Township of East Windsor; and

WHEREAS, four (4) quotes were solicited and two (2) written quotes were obtained to provide this service; and

WHEREAS, the responsive cost proposal was submitted by D & M Fireworks; 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 Recreation Director's recommendation on this service; and

WHEREAS, the maximum amount of the contract is \$13,000.00 and funds are available in the Recreation Trust Account No. R-14-18-370-800-000 entitled "Recreation Events", as evidenced by the Chief Financial Officer's Certification No. T2018-003.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to: D & M Fireworks, LLC, P.O. Box 503, Bally, Pa. 19503, for the Independence Day fireworks display scheduled for Saturday, July 7, 2018, with a rain date scheduled for Saturday, July 14, 2018, in an amount not to exceed \$13,000.00.
2. The Fire Official is authorized subject to compliance with all applicable regulations to issue said permit pursuant to section 5:18-2.7(a) 5.iii. of the Uniform Fire Code of the State of New Jersey, and to enforce the time limit on discharge of fireworks.

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 6, 2018.

Mayor Mironov requested a few corrections within the first paragraph of the Resolution pertaining to the dates. Mayor Mironov questioned the difference between the two proposals that were submitted and if they are comparable. Council Member Zoller voiced concern regarding the postponement date and terms of cancellation. Mayor Mironov agreed that due to D & M not providing the information in their contact, further clarification is needed pertaining to the postponement date and the terms of cancellation.

It was MOVED by Rosenberg, SECONDED by Zoller to approve Resolution R2018-046 with the conditions of obtaining and being satisfied with the terms of postponement in the event of inclement weather and an explanation from the Recreation Director as to why they are recommended over the other company.

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

There being five (5) ayes and no (0) nays, Resolution R2018-046 was approved with the conditions of obtaining and being satisfied with the terms of postponement in the event of inclement weather and an explanation from the Recreation Director as to why they are recommended over the other company.

Resolution R2018-047 Authorizing Employment Agreement with John T. Funda as the Executive Director of the East Windsor Police Athletic League

RESOLUTION R2018-047
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for an Executive Director for the East Windsor Police Athletic League; and

WHEREAS, the Township desires to appoint John T. Funda as the Executive Director of the East Windsor Police Athletic League under the terms and conditions set forth in the attached Employment Agreement.

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 and Municipal Clerk are hereby authorized and directed to execute the attached Employment Agreement for the term of February 16, 2018 through February 16, 2021 with John T. Funda as the Executive Director of the East Windsor Police Athletic League.

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 6, 2018.

It was MOVED by Daniels, SECONDED by Rosenberg to approve Resolution R2018-047.

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

There being five (5) ayes and no (0) nays, Resolution R2018-047 was approved.

Resolution R2018-048 Authorizing Renewal of Agreement for Communication Dispatch Services with IXP Corporation for East Windsor Township

**RESOLUTION R2018-048
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on March 8, 2016, by Resolution R2016-053, the East Windsor Township Council approved a five (5) year contract with IXP Corporation, for an initial two (2) year term and option for three (3) one-year renewal terms, with the contract beginning May 16, 2016 for Communication Dispatch Services for a contract price not to exceed \$1,468,000.00 over five years; and

WHEREAS, the Township Council has reviewed the recommendation of the Chief of Police; and

WHEREAS, the maximum annual amount of the contract for year three (3) is \$734,000.00 (\$61,166.67 per month) and the Chief Financial Officer has determined that sufficient funds are available in the Current Account No. 8-01-25-250-308-254 entitled “Communications Contracts,” pending adoption of the 2018 budget, as evidenced by the Chief Financial Officer’s Certification No. B2018-012.

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

1. The Contract for Communication Dispatch Services with IXP Corporation, Princeton Forrestal Village, 103 Main Street, Princeton, New Jersey, 08540, is hereby renewed for one (1) year, May 16, 2018 through May 15, 2019, in an amount not to exceed \$734,000.00.

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 renewal of the contract, and that the resolution and renewal 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 6, 2018.

Mayor Mironov suggested several grammatical changes within the Resolution. Mayor Mironov also stated the contract attachment is unnecessary, since the terms are in the original contract and the attachment can be removed. Mayor Mironov stated the dispatch services changeover has been seamless, and East Windsor and Hightstown are very pleased with the services provided.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2018-048 with the changes.

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

There being five (5) ayes and no (0) nays, Resolution R2018-048 was approved with the changes.

Resolution R2018-049 Authorizing Amendment to 2018 Temporary Budget
Appropriations

RESOLUTION R2018-049
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, by Resolution R2018-08, adopted on January 1, 2018, the Township Council established a Temporary Budget for 2018; and

WHEREAS, an emergent condition has arisen with respect to municipal operating expenses until the official budget is adopted and no adequate provision has been made in the 2018 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for emergency temporary appropriations for this purpose; and

WHEREAS, this appropriation increases the 2018 Temporary Budget for current fund in the amount of \$2,833,138.00 plus \$176,000.00 in garbage district No. 1 for a total of \$3,009,138.00, resulting in emergency temporary resolutions adopted in 2018, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution, totaling \$5,148,703.00.

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 in accordance with the provisions of N.J.S.A. 40A:4-20:

1. The attached Emergency Temporary Appropriations are hereby made in the total amount of \$2,833,138.00 plus garbage district No. 1 appropriations in the amount of \$176,000.00, totaling \$3,009,138.00.
2. These emergency temporary appropriations have been provided for in the 2018 budget.
3. One certified copy of this Resolution shall be filed with the Director of Local Government Services.

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 6, 2018.

Mayor Mironov suggested several changes and corrections in the Resolution adding an additional paragraph to make the Resolution clearer, and required review by the Finance Director of the final version. Mayor Mironov also stated according to the Finance Director, this appropriation is consistent with the budget that Mayor and Council have been considering.

It was **MOVED** by Rosenberg, **SECONDED** by Daniels to approve Resolution R2018-049 with the changes and condition.

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

There being five (5) ayes and no (0) nays, Resolution R2018-049 was approved with the changes and condition.

Resolution R2018-050 Authorizing Closed Session: (Litigation: Rescue 2) (Contract Negotiations: OTR Project; Interlocal Services Agreement with Hightstown Borough for Senior Program/Center Services)

**RESOLUTION R2018-050
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances exist.

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 public shall be excluded from the closed session at close of tonight's open session.
2. The general nature of the subject matter to be discussed is as follows:

Closed Session: (Litigation – Rescue 2) (Contract Negotiations: OTR Project; Interlocal Services Agreement with Hightstown Borough for Senior Program/Center Services)

3. It is anticipated at this time that the above stated subject matter will be made public when these matters are resolved or as soon thereafter as it is deemed to be in the public interest to do so.
4. This Resolution shall take effect immediately.

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 6, 2018.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2018-050.

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

There being five (5) ayes and no (0) nays, Resolution R2018-050 was approved.

Mayor Mironov stated **Resolution R2018-051, Resolution R2018-052** and **Resolution R2018-053** will be held until after the closed session.

Resolution R2018-054 Authorizing Purchase of Asphalt from Trap Rock Industries for Public Works Department

**RESOLUTION R2018-054
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase bituminous material for road improvements in East Windsor; and

WHEREAS, quotes were solicited from vendors with the closest pickup locations; and

WHEREAS, Trap Rock Industries is currently the only company in the area open for this purchase; and

WHEREAS, since the purchase is under \$17,500.00, 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 \$17,500.00; and

WHEREAS, the Township Council has reviewed the Director of Public Works recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$10,000.00 and funds are available in the Capital Fund Account No. C-04-55-980-920-890 entitled Ordinance 2017-02 entitled “Annual Road Program”, as evidenced by the Chief Financial Officer’s Certification No. 2018-003.

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 Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to Trap Rock Industries, P.O. Box 419, Kingston, New Jersey 08528, for the purchase of bituminous material, for a total amount not to exceed \$10,000.00, as per the attached quote.

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 6, 2018.

Mayor Mironov stated asphalt was discussed at the previous Council meeting. She continued by stating the Resolution can be approved tonight on the condition that DPW obtains quotes from the other vendors limiting costs to the greatest extent possible.

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve Resolution R2018-054 with the condition of obtaining quotes from other vendors and limiting costs to the greatest extent possible.

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

There being five (5) ayes and no (0) nays, Resolution R2018-054 was approved with the condition of obtaining quotes from other vendors and limiting costs to the greatest extent possible.

APPLICATIONS:

Raffle License RL: 2018-001 East Windsor Police Athletic League at 30 Airport Road, East Windsor-- 50/50 On-Premise Raffle

It was MOVED by Rosenberg, SECONDED by Shapiro to approve the RL: 2018-001.

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

There being five (5) ayes and no (0) nays, RL 2018-001 was approved.

New Jersey Fireman’s Association Membership Application for Rachel F. Dzieminski

Mayor Mironov asked what Fire Company submitted the applications. The Municipal Clerk stated Fire Co #1 submitted both applications.

New Jersey Fireman’s Association Membership Application for Gabriel S. Laverty

Both applications were MOVED by Rosenberg, SECONDED by Daniels approving Rachel F. Dzieminski and Gabriel S. Laverty’s New Jersey Fireman’s Association Membership Application.

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

There being five (5) ayes and no (0) nays, the New Jersey Fireman’s Association Membership Application for Rachel F. Dzieminski and Gabriel S. Laverty were approved.

REPORTS BY COUNCIL AND STAFF:

Council Member Rosenberg stated the Clean Communities Advisory Committee met on Thursday, February 22 and spoke about the Adopt a Spot Wrap-up event that was held. He voiced that it was a great event and over 100 kids attended. Council Member Rosenberg also reminded everyone that the Recycling event will be held on April 14 and the Stream Clean-up event is on Saturday April 21 from 9-11am.

CORRESPONDENCE:

Mayor Mironov stated Mayor and Council received a memo from the Manager regarding the Bill List questions from the last meeting, the Tax Collector’s Annual Statement of Tax Receipts

for 2017, a letter from NJ DOT regarding a \$410,100.00 grant for Old Cranbury Road and related roads, an additional letter from NJ DOT regarding a \$391,000 grant for Oak Creek Road and Heathwood Drive and a letter from the sellers attorney for the property located on Route 33.

APPOINTMENTS:

Mayor Mironov stated several people have been interviewed at the last few meetings and she will be appointing several volunteers tonight to the various Board and Committees. Mayor Mironov appointed student Ashwini Penta earlier this evening to the Economic Development Committee. She then further appointed Richard Brand as a Class II Planning Board Member with an expiration of December 31, 2018. She also appointed Brunetta Allen-Rogers as an Auxiliary Member to the Health Advisory Board, Abhinav Mahesh as a student member to the Clean Communities Committee, Anusri Mallampalli as a student member of the Economic Development Committee, Rene Jocelyn as an Auxiliary Member of the Economic Development Committee, Aayush Gupta as a student member of the Recreation Commission, Radhika Shah as a student member to the Health Advisory Board, and with Township recommendation Christine Policastro as a member of the Recreation Commission for an unexpired term through December 31, 2019. Mayor Mironov stated that is currently everyone that has been interviewed for a board or committee to date.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to appoint Christine Policastro as a member of the Recreation Commission for an unexpired term through December 31, 2019.

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

There being five (5) ayes and no (0) nays, Christine Policastro was appointed as a member of the Recreation Commission for an unexpired term through December 31, 2019.

APPROVAL OF BILLS:

Mayor Mironov stated a 2018 Current Bill list, 2017 Current Bill list, Affordable Housing Bill List and other miscellaneous bill lists and trust accounts were provided. Council Member Zoller questioned the Shared Service agreement and Mayor Mironov clarified that is the Township's shared services agreement for health officer with Hamilton. Mayor Mironov questioned whether the Maley charges on the Affordable Housing list are charged to the appropriate account and she requested they be held and clarified, and whether they are actually TIP bills and charged to the accurate account. Mayor Mironov also stated on the Current 2018 bill list there are multiple entries for rock salt and requested the bills be held for clarification. The Finance Director voiced that the multiple entries are due to how the Township was billed and received those bills for rock salt. Mayor Mironov wanted further clarification questioning if the Department of Public Works orders rock salt at 1,000 tons at a time. The Township Manager stated he will look into it and provide information back to Mayor and Council.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve the Bill Lists with the holds and clarifications requested.

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

There being five (5) ayes and no (0) nays, the various presented Bill Lists were approved with the holds and clarifications requested.

MATTERS BY COUNCIL:

Mayor Mironov stated the Recycling Poster Contest is in effect for the elementary students, the Gun Lock Safety Program is taking place during the month of March whereby the Township is providing free gun locks to residents, and the East Windsor Township Community Garden application process is now open and the Township is looking forward to launching the event in early to mid-April. Mayor Mironov also requested clarification and an update on Windsor Center lighting issue from the Department of Public Works.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2018 Summer Concerts and Events

Mayor and Council received a memo from the Recreation Director on issues that were raised from the last meeting discussion. Council Member Rosenberg stated after listening to the music, he would like to move forward with the Infernos. Mayor and Council would like to book Real Diamond for Sunday, August 12. No objections were made by Council Members to the three bands mentioned and those dates that are available for booking.

2. 2018 National Night Out -- August 7, 2018

Mayor and Council confirmed they are looking forward to moving ahead with the 2018 National Night Out on August 7, 2018.

3. 2018 Municipal Budget Review

Mayor Mironov reviewed the Manager's February 23 Budget memo and stated she had some additional questions and would like follow-up on the following issues. Mayor Mironov questioned the Police Department DARE Program and how the money is being provided. She stated the three volunteer companies information is being reviewed by the Manager to ensure that it is responsive to the request, as well as providing sufficient detail to submit budget recommendations for those companies to address the needs of the Township. Mayor Mironov asked if the Township is looking into JIF and providing discounts in other ways and the Township Manager stated training session are currently being scheduled for incentives for reductions in the overall rates. Council Member Zoller questioned the Court Clerk's overtime

and Mayor Mironov further clarified that the Court Clerk is a salaried employee and she works a lot of the hours to reduce the amount paid in overtime to other court employees.

Mayor Mironov stated that the Township is in very good financial condition as it has been for the last 5 years. Mayor Mironov suggested a subcommittee be created of a few members from Council for Council involvement and to determine a date to introduce the budget and report back to Mayor and Council for the sign-off and recommendation. Mayor Mironov asked Deputy Mayor Zoller and Council Member Shapiro to be part of the Budget Committee. Mayor Mironov also stated she is looking to cancel the March 20, 2018 meeting and will either determine another Council meeting date or will carry to the next regularly scheduled meeting date.

4. 2018 Roadway Projects Status

Mayor Mironov stated that Mayor and Council have not yet received a status update from the Department of Public Works. She stated Probasco Road should have already gone out to bid and notice needs to go out as soon as possible and also Brooktree and Maple Stream Road bids need to go out as well. Mayor Mironov requested a status update from Department of Public Works by no later than the end of the week.

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

Mayor Mironov stated this is another ongoing issue that Mayor and Council have no status on and are looking to receive professional reports, a punch list of outstanding items and a final sign-off to complete the project.

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

Mayor Mironov stated this is another ongoing issue that Mayor and Council have no status on and are looking to receive professional reports, a punch list of outstanding items and a final sign-off to complete the project.

7. Route 130/Hankins Road/Conover Road Realignment

Mayor Mironov stated the Assistant Manager has taken over this project and he is in the process of providing Mayor and Council with a plan.

MATTERS BY PUBLIC:

No one spoke.

ADJOURNMENT:

Mayor Mironov did not adjourn the open session meeting.

Closed Session: (Litigation: Rescue 2) (Contract Negotiations: OTR Project; Interlocal Services Agreement with Hightstown Borough for Senior Program/Center Services)

Mayor and Council re-opened the March 6, 2018 meeting at 9:34 p.m to take action on **Resolution R2018-051, Resolution R2018-052 and Resolution R2018-053.**

Resolution R2018-051 Approving Global Settlement Agreement and Lease between East Windsor Township and East Windsor Township Rescue Squad, District II, Inc.

**RESOLUTION R2018-51
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, East Windsor Township Rescue Squad District II, Inc. (“Rescue II”) instituted a lawsuit against the Township entitled East Windsor Township Rescue Squad District II, Inc. v. PNC Bank, et als, pending in the Superior Court of New Jersey, Law Division, Mercer County, under Docket No. MER-L-2817-14; and

WHEREAS, the Township instituted a lawsuit against Rescue II entitled The Township of East Windsor v. East Windsor Rescue Squad District II, Inc., Amanda Brooks, Jonathan Wassef, Brian Foley, Michael Foley, Matthew Potts, et. al. pending in the Superior Court of New Jersey, Chancery Division, Mercer County, under Docket No. MER-C-36-15; and

WHEREAS, the Township and Rescue II have agreed to terms of settlement of both pending actions on the terms set forth in the attached Global Settlement Agreement; and

WHEREAS, the terms of settlement include, among other things, the transfer of title to 73 Twin Rivers Drive, in East Windsor Township (Block 20, Lot 189.01) from Rescue II to the Township and the Township’s lease of this property back to Rescue II as the location for its emergency medical services operations, in accordance with the terms of the attached Lease; and

WHEREAS, the Township Council finds that the settlement of the pending litigation under the terms set forth in the Global Settlement Agreement is in the best interests of the Township;

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

1. The Mayor and Acting Municipal Clerk are hereby authorized and directed to execute the attached Global Settlement Agreement between the Township and Rescue II.

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 6, 2018.

Mayor Mironov requested that the second paragraph be removed from the Resolution.

It was MOVED by Rosenberg, SECONDED by Zoller to approve Resolution R2018-051 with the change.

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

There being five (5) ayes and no (0) nays, Resolution R2018-051 was approved with the change.

Resolution R2018-052 Affirming Volunteer Agencies Authorized to Service East Windsor Township

**RESOLUTION R2018-052
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2014-218, adopted on December 23, 2014, the Township terminated the authority of East Windsor Township Rescue Squad District II, Inc. to be involved in the delivery of emergency medical services in the Township in any manner, directly or indirectly; and

WHEREAS, by Resolution R2018-51 adopted on March 6, 2018, prior to the adoption of this Resolution, the Township approved the settlement of litigation between the Township and East Windsor Township Rescue Squad District II, Inc.; and

WHEREAS, in the interests of the health and general welfare of the residents of East Windsor Township, the Township wishes to update its list of officially recognized rescue squads and emergency medical services providers that are authorized to respond to emergency calls and to provide emergency medical services in East Windsor Township.

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 following entities only, together with those entities acting in accordance with existing and future mutual aid agreements, are hereby recognized by East Windsor Township as being authorized to respond to emergency calls and to provide emergency medical services within and on behalf of East Windsor Township:
 - a) East Windsor Township Rescue Squad, District I, Inc.
 - b) East Windsor Township Rescue Squad District II, Inc.
 - c) Robert Wood Johnson Health Network and any other emergency medical services provider with whom the Township contracts.
2. This Resolution shall take effect sixty (60) days from the date of approval.
3. A copy of this Resolution, certified to be a true copy, shall be forwarded to each of the entities named in paragraph above.

I certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on March 6, 2018.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2018-052.

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

There being five (5) ayes and no (0) nays, Resolution R2018-052 was approved.

Resolution R2018-053 Approving the Sale by East Windsor Township of the 2014 Chevrolet Tahoe

**RESOLUTION R2018-53
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2018-51, adopted on March 6, 2018, prior to the adoption of this Resolution, the Township Council approved the execution of a Global Settlement Agreement (“Agreement”) to settle a law suit instituted by East Windsor Township Rescue Squad District II, Inc. (“Rescue II”) entitled East Windsor Township Rescue Squad District II, Inc. v. PNC Bank, et als, pending in the Superior Court of New Jersey, Law Division, Mercer County, under Docket No. MER-L-2817-14, and to settle the law suit instituted by the Township entitled The Township of East Windsor v. East Windsor Rescue Squad District II, Inc., Amanda Brooks, Jonathan Wassef, Brian Foley, Michael Foley, Matthew Potts, et. al. pending in the Superior Court of New Jersey, Chancery Division, Mercer

County, under Docket No. MER-C-36-15; and

WHEREAS, among the terms of the Agreement, Rescue II shall deliver to the Township the original Certificate of Title to the 2014 Chevrolet Tahoe, duly endorsed for transfer to the Township, together with all keys, manuals and the purchase invoice; and

WHEREAS, the Agreement further provides that Amanda Brooks shall have a first option to purchase the Tahoe from the Township, with her own personal funds, at Kelly Blue Book value, which is deemed to be \$28,200.00; and

WHEREAS, the Agreement further provides that if Amanda Brooks does not purchase the Tahoe at that price within sixty (60) days after the execution of the Agreement, the Township shall offer the Tahoe for sale in any manner or method it deems appropriate to maximize the value received for the vehicle;

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

2. The Mayor and Acting Municipal Clerk are hereby authorized and directed to execute and deliver to Amanda Brooks a certificate of Title to the 2014 Chevrolet Tahoe, endorsed for transfer to her, following the Township's receipt from Rescue II of the original Certificate of Title to the 2014 Chevrolet Tahoe, duly endorsed for transfer to the Township, together with all keys, manuals and the purchase invoice and upon receipt of a bank or cashier's check from Amanda Brooks, payable to the Township, in the amount of \$28,200.00.
3. If Amanda Brooks does not purchase the Tahoe at that price within sixty (60) days after the execution of the Global Settlement Agreement, the Township shall offer the Tahoe for sale in any manner or method it deems appropriate to maximize the value received for the vehicle.

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 6, 2018.

It was **MOVED** by Shapiro, **SECONDED** by Daniels to approve Resolution R2018-053.

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

There being five (5) ayes and no (0) nays, Resolution R2018-053 was approved.

ADJOURNMENT:

Next Meeting: Tuesday, March 20, 2018 @ 7:30 p.m

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

